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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

RAYMOND McGINNIS,  
  
                    Plaintiff,  
  
          v.  
  
B. ATKINSON,  
  
                    Defendant.

1:12cv02045 AWI DLB PC  
  
ORDER REQUIRING PLAINTIFF TO  
CLARIFY HIS REQUEST FOR DISCOVERY  
(Document 30)  
  
TWENTY-ONE DAY DEADLINE

This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Raymond McGinnis, a state prisoner proceeding pro se and in forma pauperis. Plaintiff filed this action on December 17, 2012. The action is proceeding against Defendant Atkinson for violation of the Eighth Amendment.

Defendant filed a motion to dismiss based on Plaintiff’s failure to exhaust on December 13, 2013. On April 16, 2014, the Court converted the motion into a motion for summary judgment and ordered the parties to inform the Court whether additional exhaustion-related discovery was necessary. The Court noted that the exhaustion issue appeared to be fully briefed, but that pursuant to Federal Rule of Civil Procedure 56(d), it would consider requests for further discovery.

On May 8, 2014, Defendant informed the Court that no additional discovery was needed.

On May 19, 2014, Plaintiff filed a motion entitled, “Motion for Order of Discovery.” Plaintiff does not state whether he is seeking additional discovery, nor does he reference the Court’s prior order, and the nature of his request is therefore unclear.

