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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

BRADY K. ARMSTRONG,

Plaintiff,

v.

M.E. SPEARMAN AND
A. DESFOSSES,

Defendants.

1:13-cv-00246 SAB (PC)

ORDER GRANTING FIRST MOTION
TO EXTEND TIME TO SUBMIT
APPLICATION TO PROCEED IN FORMA
PAUPERIS

ORDER DENYING MOTION FOR A
HEARING

(ECF No. 4)

THIRTY-DAY DEADLINE

Plaintiff is a prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. On March 20, 2013, Plaintiff filed a motion to extend time to file his application to proceed in forma pauperis. (ECF No. 4.) Good cause having been presented to the Court and good cause appearing therefor, the Court will grant Plaintiff's request for an extension of time. The Court will grant Plaintiff a thirty-day extension, however, Plaintiff is cautioned that this will be the final extension and that Plaintiff needs to take appropriate steps to ensure that he can fulfill his obligation to either file a motion to proceed in pauperis or pay the filing fee.

Plaintiff's March 20, 2013 filing also requested a telephonic hearing. (ECF No. 4.) The Court is required to screen complaints brought by prisoners seeking relief against a governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a).

1 The Court will direct the United States Marshal to serve Plaintiff's complaint on defendants
2 only after the Court has screened the complaint and determined that it contains cognizable
3 claims for relief against the named defendants. First Informational Order ¶ 12; ECF No. 2. Due
4 to the fact that Plaintiff's complaint has not yet been screened, a telephonic hearing is
5 premature at this time.

6 Accordingly, it is hereby ORDERED that:

- 7 1. Plaintiff is granted thirty (30) days from the date of service of this order in
8 which to file an application to proceed in forma pauperis or pay the filing fee;
9 and
- 10 2. Plaintiff's request for a telephonic hearing is hereby DENIED.

11 IT IS SO ORDERED.

12 **Dated:** April 8, 2013

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15 UNITED STATES MAGISTRATE JUDGE
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