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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

INFINITY,

 Plaintiff,

 v.

CHEN HO, et al.,

 Defendants.

CASE No. 1:13-cv-01331-MJS

ORDER GRANTING MOTION FOR AN
EXTENSION OF TIME AND DENYING
MOTION FOR APPOINTMENT OF
COUNSEL

(ECF No. 16)

Plaintiff Infinity is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. (ECF No. 1.) On November 18, 2013, Plaintiff filed a motion seeking a sixty day extension of time and the appointment of counsel. (ECF No. 16.) Plaintiff contends that he has progressively degenerative arthritis and a disk disease for which he takes strong narcotics. The pain and side effects make writing and thinking very difficult. (Id. at 1.)

On November 19, 2013, Attorney Benjamin Pavone joined Plaintiff’s request for an extension of time. (ECF No. 17.) Mr. Pavone seeks additional time to formally appear on behalf of Plaintiff and address the Court’s October 30, 2013 Screening Order.

Good cause having been presented to the Court, IT IS HEREBY ORDERED that:

1. Plaintiff’s Motion to extend time to file an amended complaint is GRANTED such that Plaintiff shall file his amended pleading within sixty (60) days following service

1 of this order; and

2 2. Plaintiff's Motion for Appointment of Counsel is DENIED as moot since he
3 is in the process of retaining private counsel.

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5 IT IS SO ORDERED.

6 Dated: November 20, 2013

7 *1st Michael J. Seng*
8 UNITED STATES MAGISTRATE JUDGE
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