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

AVERY HYPOLITE, ) Case No.: 1:14-cv-01199-LJO-SAB (PC)  
 )  
Plaintiff, )  
 )  
v. ) ORDER REGARDING PLAINTIFF’S MOTION  
 ) FOR EXTENSION OF TIME TO FILE FURTHER  
 ) DOCUMENTATION AS TO HIS REQUEST FOR  
R. ZAMORA, ) INMATE WITNESSES  
 )  
Defendant. ) [ECF No. 82]  
 )  
 )

Plaintiff Avery Hypolite is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

This action proceeds to trial on Plaintiff’s claim of excessive force against Defendant R. Zamora, and jury trial is set for May 23, 2017, at 8:30 a.m. before the undersigned.

On April 14, 2017, the Court issued the pretrial order. Previously, on March 30, 2017, the Court granted in part and denied in part Plaintiff’s motion for the attendance of incarcerated witnesses. More specifically, the Court granted Plaintiff’s request as to inmate witness Fred Gordon, denied Plaintiff’s request as to inmate witness Jesse Washington, and denied without prejudice Plaintiff’s request as to inmate witness Egnacio Joshua and set a deadline of April 10, 2017, for Plaintiff to either file his own declaration or a declaration by inmate Joshua. The April 10, 2017, has passed and no declaration has been filed. However, on April 18, 2017, Plaintiff filed a request for an extension of time to submit the declaration, which was self-dated by Plaintiff as April 11, 2017. (ECF No. 82.)

1 As Plaintiff was advised at the telephonic trial confirmation hearing on April 13, 2017, any  
2 motion and/or necessary declaration was required to be filed in a promptly manner as trial is imminent  
3 and time is necessary to issue a ruling and a writ of transportation for incarcerated individuals. It is  
4 now two weeks past the deadline and a month away from trial. Therefore, Plaintiff is advised that the  
5 Court will only consider a request and/or documentation that is received and placed on the Court's  
6 docket by **May 1, 2017**.

7  
8 IT IS SO ORDERED.

9 Dated: April 24, 2017

/s/ Lawrence J. O'Neill  
UNITED STATES CHIEF DISTRICT JUDGE