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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDWARD T. FURNACE,
Plaintiff,
v.
M. JUNIOUS, et al.,
Defendants.

CASE NO. 1:14-cv-01671-LJO-MJS (PC)
**ORDER DENYING MOTION TO EXCEED
PAGE LIMIT FOR AMENDED
COMPLAINT**
(ECF No. 8)

Plaintiff is a state prisoner proceeding *pro se* and in *forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff has declined Magistrate Judge jurisdiction. (ECF No. 5).

The Court dismissed Plaintiff's original complaint with leave to amend. (ECF No. 9). Before the Court is Plaintiff's request for a court order instructing the prison librarian to permit him to file an amended complaint that exceeds the 50-page limit set forth in Cal. Code. Regs. tit. 15 § 3162(c). (ECF No. 8).

The Court will deny this Motion for the following reasons. First, the prison librarian is not a party to this action. The Court cannot compel a non-party to do or refrain from particular actions. Second, even if the librarian were a party, the Court would have no

1 basis for ordering preliminary injunctive relief. Plaintiff has yet to file a cognizable claim.
2 It thus cannot be said that he has shown “a strong likelihood of success on the merits”, a
3 prerequisite to injunctive relief. See *Mayweathers v. Newland*, 258 F.3d 930, 938 (9th
4 Cir. 2001). Third, Cal. Code Regs. tit. 15 § 3162(c) provides that the appropriate means
5 for an inmate to copy more than 50 pages is to “provide to designated staff a written
6 explanation of the need for excess document length,” not to obtain a court order.
7

8 In addition, the Court reminds Plaintiff of the requirement of Fed. R. Civ. P.
9 8(a)(2), which requires a complaint to be “a short and plain statement of the claim
10 showing that the pleader is entitled to relief.” Plaintiff must set forth his claims in a clear,
11 succinct, and straightforward manner. It is the very rare case that requires more than 10
12 pages to do that; additional pages likely would confuse, not clarify.
13

14 Based on the foregoing, it is HEREBY ORDERED that Plaintiff’s motion to exceed
15 CDCR’s fifty-page copy limit (ECF No. 8) is DENIED.
16

17 IT IS SO ORDERED.

18
19 Dated: May 11, 2015

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE