1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 Case No. 1:16-cv-00524-DAD-EPG (PC) JOHNNY C. THOMAS, ORDER DIRECTING PLAINTIFF TO NOTIFY 12 Plaintiff, COURT OF WILLINGNESS TO DELAY TRIAL TO ACCOMMODATE 13 v. APPOINTMENT OF COUNSEL 14 MARK KUO, (ECF No. 118) 15 Defendant. FOURTEEN DAY DEADLINE 16 Plaintiff, Johnny C. Thomas, is a state prisoner proceeding pro se and in forma pauperis 17 with this civil rights action filed pursuant to 42 U.S.C. § 1983. Plaintiff has requested that the 18 19 Court locate and appoint pro bono counsel to represent Plaintiff in this case. (ECF No. 118.) The 20 case is currently set for a jury trial to begin on December 10, 2019. 21 The Court has located counsel who has indicated a willingness to represent Plaintiff pro 22 bono. However, this counsel is able to do so only if the current trial is continued to April 2020 or 23 later. The Court notes that, due to an anticipated significant increase in the case load of the assigned District Court judge beginning in early 2020, the trial in this case may be subjected to 24 additional delays beyond April 2020. Further, even if the case is not continued to April 2020 or 25 26 later to accommodate the appointment of counsel, there is no guarantee that this case will go to 27 trial on December 10, 2019, as currently scheduled.

With this information in mind, the Court directs Plaintiff to notify the Court, within

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1	fourteen days of service of this order, whether Plaintiff is agreeable to a continuance of the jury
2	trial in this matter to April 2020 or later for the purpose of appointing pro bono counsel to
3	represent Plaintiff.
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5	IT IS SO ORDERED.
6	Dated: October 2, 2019 /s/ Encir P. Brown
7	UNITED STATES MAGISTRATE JUDGE
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