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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

8 ANTHONY CEASAR HERNANDEZ,

9 Plaintiff,

10 v.

11 BALLAM, et al.,

12 Defendants.

Case No.: 1:17-cv-00468-LJO-BAM (PC)

ORDER REGARDING PLAINTIFF'S
MOTION OF NOTICE OF CHANGE OF
ADDRESS AND REQUEST TO
AUTHORIZE USE OF A PEN FILLER AND
DUPLICATION SERVICES

[Doc. 50]

ORDER GRANTING EXTENSION OF TIME
TO FILE OPPOSITION TO DEFENDANTS'
MOTION TO STAY

THIRTY-DAY DEADLINE

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18 Plaintiff Anthony Ceasar Hernandez is a state prisoner proceeding *pro se* and *in forma*
19 *pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

20 Currently before the Court is Plaintiff's motion regarding a notice of change of address
21 and the use of a pen filler and duplication services. Plaintiff asserts that he now has a new
22 address and seeks to update the record and receive his mail there. The Court has updated its
23 records, and Plaintiff is advised that no motion is necessary, as he need only file a notice of any
24 change of address in the future.

25 Plaintiff also seeks for the Court to take judicial notice of the differences in the law
26 library services at the jail where he is now housed and his former institution, and states that he is
27 not being allowed use of a pen filler or duplication services. Plaintiff seeks an order stating that
28 he is authorized to use a pen filler and publication services.

1 The Court declines to do so. Plaintiff's filings are legible using whatever writing
2 implement that he has been provided, and the Court finds no cause to issue the order he requests.
3 Plaintiff may also make hand-written duplicates if no duplication services are available, if he
4 needs copies of his filings. Plaintiff may seek an extension of time to do so, if necessary, that is
5 supported by good cause.

6 Finally, on May 14, 2018, Defendants filed a motion to stay this case under Plaintiff's
7 pending criminal proceeding in Madera County Superior Court is resolved. (Doc. 49.) However,
8 this motion may have crossed in the mail due to Plaintiff's recent relocation. Defendants have
9 filed an amended declaration of service showing that the motion and related materials were re-
10 served on Plaintiff on June 5, 2018. (Doc. 51.) The Court therefore finds it appropriate to grant
11 Plaintiff a thirty (30) day extension of time to file an opposition or statement of non-opposition
12 to Defendants' motion to stay.

13 Accordingly, Plaintiff's motion is GRANTED IN PART, as explained above. Plaintiff's
14 opposition or statement of non-opposition to Defendants' motion to stay is due within **thirty (30)**
15 **days** of the date of this order.

16 IT IS SO ORDERED.
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18 Dated: June 6, 2018

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE