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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JAMES ROBERT BRISCOE, III,  
Plaintiff,  
v.  
RICHARD MADRID, et al.,  
Defendants.

Case No. 1:17-cv-0716-DAD-SKO

**ORDER GRANTING IN PART  
PLAINTIFF’S THIRD REQUEST TO  
EXTEND TIME TO FILE AMENDED  
COMPLAINT**

/ (Doc. 24)

Plaintiff is a prisoner proceeding *pro se* in a civil rights action pursuant to 42 U.S.C. § 1983 (“Section 1983”). On April 12, 2018, Plaintiff filed his second motion to extend time to file his amended complaint in compliance with the screening order entered on January 26, 2018. (Doc. 24.) Plaintiff’s amended complaint is currently due May 8, 2018, pursuant to two prior enlargements of time. (*See Docs. 17 & 21.*) Plaintiff requests an additional extension of 180 days, or a minimum of 120 days, in which to file his amended complaint on grounds that he has a physical disability that makes it difficult for him to write and confines him to a wheelchair. (*Id.* at 2.) Plaintiff further contends that his ability to perform legal research is hindered because he has to depend on the physical assistance of others to transport him to the law library and the limited number of “kiosks” in the law library on which to conduct research. (*Id.* at 2–3.) Plaintiff states that “[f]rom 02/27/2018 to 04/08/2018, [he] has only been allotted use of the law library on ‘4’ occasions for 2hrs each time and on only one of those occasions was able to research law on the kiosk.” (*Id.* at 3.)

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1           While good cause exists to grant Plaintiff a third extension of time in which to file his  
2 amended complaint, the Court again finds that an extension of 180 days is excessive. The Court's  
3 January 26, 2018, screening order set forth the clear legal standards by which the claims alleged in  
4 Plaintiff's amended complaint will be evaluated. In view of these clear standards, which have  
5 been provided to Plaintiff on multiple occasions (most recently on March 19, 2018, *see* Doc. 21),  
6 there is simply no need for extensive legal research. Therefore, in view of that good cause has  
7 been shown, the Court grants **one last and final extension** of 90 days so that Plaintiff may prepare  
8 an amended complaint that attempts to state a cognizable claim under Section 1983. Plaintiff is  
9 advised that any further requests for extensions of time shall be supported by good cause **other**  
10 **than that already presented to the Court in prior requests.**

11           Accordingly, IT IS HEREBY ORDERED that Plaintiff is granted ninety (90) days from  
12 May 8, 2018, in which to file his amended complaint.

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14 IT IS SO ORDERED.

15 Dated: **April 17, 2018**

*/s/ Sheila K. Oberto*  
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UNITED STATES MAGISTRATE JUDGE

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