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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES CHATMAN,

Plaintiff,

No. CIV S-03-2415 RRB KJM P

vs.

T. FELKER, et al.,

Defendants.

ORDER

_____/

Plaintiff is a state prison inmate proceeding pro se with a civil rights action under 42 U.S.C. §1982. On January 2, 2008, he filed a motion for an extension of time in which to conduct discovery. He contends that he is corresponding with defendants' counsel concerning defendants' responses to discovery, which plaintiff considers inadequate. He adds that he wishes to pursue additional requests for admissions.

Plaintiff has not explained, however, why he did not serve his requests for admissions during the additional time granted by the court in response to plaintiff's initial motion for additional time to conduct discovery. Moreover, although plaintiff is apparently attempting to confer with defendants about discovery issues, this does not excuse his failure to proceed with discovery: the court's June 26, 2007 discovery order specifically exempted this

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1 case from the meet and confer provisions of the local rules. L.R. 37-251. Plaintiff will be given
2 additional time, however, in which to file any motions to compel discovery.

3 Finally, plaintiff alleges his copy of the complaint was seized by two prison
4 guards and asks the court to provide a copy of the complaint without requiring that he pay the
5 copying fees. A litigant's in forma pauperis status does not extend to exempt him from the
6 incidental expenses of litigation. See, e.g. Tedder v. Odel, 890 F.2d 210, 211 (9th Cir. 1989).
7 Nevertheless, because the litigation may be delayed if plaintiff is denied access to his complaint,
8 the court will direct the clerk to provide plaintiff with a copy.

9 IT IS HEREBY ORDERED that:

10 1. Plaintiff's request for an extension of time in which to conduct discovery
11 (docket no. 92) is denied;

12 2. Plaintiff is given until February 8, 2008 in which to file any motions to compel
13 discovery; and

14 3. Plaintiff's request for a copy of his complaint (docket no. 92) is granted and
15 the Clerk of the Court is directed to send plaintiff a copy of his amended complaint, filed
16 December 27, 2004.

17 DATED: January 31, 2008.

18 
19 U.S. MAGISTRATE JUDGE

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