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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MACK A. WEST, Jr.,
Petitioner,
v.
RANDY GROUNDS,
Respondent.

No. 2:09-cv-3147 KJM AC P

ORDER

Petitioner, a state prisoner, proceeds pro se and in forma pauperis with a third amended petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. On July 16, 2013, petitioner was granted thirty days in which to file and serve a motion to amend to add newly-exhausted claims. Petitioner was advised that his motion needed to address the timeliness of the newly added claims and that it must be accompanied by a proposed fourth amended complaint. The thirty day time limit has expired and petitioner has not moved to amend his petition. Instead, petitioner has filed a “motion for discovery to amend habeas petition.”

Petitioner requests that the clerk or respondent be ordered to provide him with a copy of his reply filed on April 17, 2013, plus exhibits, free of charge. Petitioner states that he needs copies of the exhibits in order to make his argument for good cause or equitable tolling. Petitioner states that the copies of the exhibits he attached to his reply were originals, and further states that he is indigent and cannot afford to pay the Clerk for copies in accordance with normal Clerk’s office policies. Typically, this court does not provide courtesy copies to litigants.

1 However, as a one-time courtesy and in the interest of justice, the court will provide plaintiff a
2 copy of his reply and the exhibits attached thereto. Petitioner is cautioned not to send original
3 documents to the court, as courtesy copies will not be provided again. If plaintiff requires any
4 additional copies in the future, he must order and pay for them at the rate of \$0.50 per page in
5 accordance with the regular policy of the Clerk's office. Sua sponte, petitioner is granted an
6 additional thirty days from the date of this order to file a motion to amend.

7 In accordance with the above, IT IS HEREBY ORDERED THAT:

- 8 1. Plaintiff's July 25, 2013 motion for discovery to amend habeas petition [ECF No.
9 111] is granted in part, to the extent that the clerk shall provide plaintiff with a copy of
10 his April 17, 2013 reply and exhibits [ECF No. 104] as a one-time courtesy. If
11 plaintiff requires any additional copies in the future, he must order and pay for them at
12 the rate of \$0.50 per page in accordance with regular Clerk's Office policy. In all
13 other respects the motion for discovery to amend habeas petition is denied.
- 14 2. Sua sponte, petitioner is granted an additional thirty days from the date of this order in
15 which to file a motion to amend.

16 DATED: August 19, 2013

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19 ALLISON CLAIRE
20 UNITED STATES MAGISTRATE JUDGE

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