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

HENRY A. JONES,

Plaintiff,

No. 2:11-cv-02049-LKK-DAD P

vs.

DR. JAFFE, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff has requested the appointment of counsel and an extension of time to file an opposition to defendants’ motions to dismiss now pending before the court. For the same reasons provided in the court’s order, filed on October 25, 2012, plaintiff’s request for appointment of counsel will be denied.

As to the request for an extension of time to file an opposition to the pending motion to dismiss, plaintiff seeks an additional 180 days to file his opposition. Plaintiff contends that his ability to conduct legal research and obtain information is hindered by his limited access to the prison law library which allows “approximately five days or less a week of five hours.” (Doc. No. 36 at 1.) In his declaration, plaintiff also mentions his pro se status, limited education, and attaches documents that refer to his medical and mental health issues. (Id. at 12-23.) Defendants oppose plaintiff’s request for additional time to file his opposition arguing that plaintiff has not provided sufficient reasons for the 180-day extension of time requested.

1 Defendants also argue that plaintiff's pro se status is an insufficient justification for such an  
2 extension, that plaintiff's statement concerning his limited access to the law library is  
3 unsupported, and that the amount of library time plaintiff has already had was certainly sufficient  
4 in order to respond to the pending motion to dismiss. (Doc. No. 37 at 3.) Finally, defendants  
5 argue they will suffer significant prejudice and that the requested delay may affect defendant Dr.  
6 O'Neill's insurance premiums and ability to become credentialed at other hospitals. (Id. at 4.)

7           The court agrees that plaintiff has failed to justify the lengthy extension he seeks  
8 in order to file opposition to the pending motion to dismiss and that the six-month extension of  
9 time requested would be prejudicial to defendants. Therefore, the court will grant plaintiff only a  
10 thirty-day extension of time to file his opposition. Should plaintiff seek a further extension of  
11 time for this purpose, which the court does not encourage, he must provide specific information  
12 concerning the precise legal issue he is researching, the research he has completed on that issue,  
13 dates of events that prevented him from completing his opposition to the pending motion, and  
14 documents supporting his representations in this regard.

15           Accordingly, IT IS HEREBY ORDERED that:

- 16           1. Plaintiff's November 19, 2012 request for the appointment of counsel (Doc.  
17 No. 26) is denied;  
18           2. Plaintiff's December 4, 2012 request for an extension of time (Doc. No. 36) is  
19 granted in part; and  
20           3. Plaintiff is granted thirty days from the date of this order in which to file and  
21 serve an opposition to defendants' motions to dismiss. Any reply briefs shall be filed and served  
22 by defendants in accordance with Local Rule 230(1).

23 DATED: December 12, 2012.

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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE