

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

MYRON A. PAYNE

Plaintiff,

No. 2:12-cv-0243 DAD P

vs.

MATTHEW CATE, et al.

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. On April 26, 2012, the court granted plaintiff leave to file an amended complaint not to exceed twenty-five pages in length. This page limitation was imposed by the court because plaintiff’s original complaint was 118-pages long. Plaintiff has now filed an amended complaint of thirty-nine pages in length, along with a motion for leave to exceed the initial page limitation. That motion will be granted.¹

Plaintiff has also moved the court to reconsider its denial of his motion to appoint counsel and has renewed that motion as well. Plaintiff makes no showing that his case is

¹ The court’s ruling allowing plaintiff to exceed the page limitation imposed by prior order in no way constitutes a ruling on whether plaintiff’s first amended complaint passes the screening requirement of 28 U.S.C. § 1915A. The court will issue a separate order analyzing the allegations of the first amended complaint under that statutory requirement.

1 different now than it was when the court denied his first request for counsel. Therefore both
2 motions will be denied.

3 Accordingly, IT IS ORDERED that:

4 1. The motion (Docket No. 13-1) to exceed the page limitation set by the court's
5 order of April 26, 2012, is granted.

6 2. The motions to reconsider (Docket 13-2) and for appointment of counsel (13-
7 3) are denied.

8 DATED: February 6, 2013.

9
10 
11 _____
12 DALE A. DROZD
13 UNITED STATES MAGISTRATE JUDGE

13 hm
14 payn0243.ord

15
16
17
18
19
20
21
22
23
24
25
26