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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SEAN O’NEAL,
Plaintiff,
v.
AUGUST JOHNSON, et al.,
Defendants.

No. 2:14-cv-2374 DB PS

ORDER

This matter is set for a jury trial to commence before the undersigned on September 25, 2017.¹ On August 22, 2017, plaintiff filed a motion to amend his exhibit list and noticed that motion for hearing on September 25, 2017. (ECF No. 184.) However, on August 29, 2017, plaintiff filed a motion for an extension of time, seeking a continuation of the jury trial. (ECF No. 189.) Defendant has filed an opposition to plaintiff’s motion for an extension of time. (ECF No. 191.)

Plaintiff’s motion explains that plaintiff “is moving and does not have access to some legal services.”² (ECF No. 189 at 1.) Plaintiff has changed his address of record to “GENERAL DELIVERY SACRAMENTO, CA.” (ECF No. 188.) Although the court shares defendant’s

¹ The parties have consented to Magistrate Judge jurisdiction over this action pursuant to 28 U.S.C. § 636(c)(1). (ECF No. 16.)

² Plaintiff is proceeding pro se with appointed standby counsel. (ECF No. 166.)

1 concerns about the numerous delays in prosecuting this action, the court finds good cause to grant
2 plaintiff one final extension of time. However, plaintiff is cautioned that the court does not intend
3 to grant any further extensions of time for this purpose or for any other reason absent good
4 cause.³

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Plaintiff's August 29, 2017 motion for an extension of time (ECF No. 189) is granted;
- 7 2. The September 25, 2017 hearing of plaintiff's motion to amend (ECF No. 184) is
8 vacated and plaintiff shall re-notice the motion for hearing on an available law and motion
9 calendar pursuant to Local Rule 230⁴; and
- 10 3. The September 25, 2017 jury trial is continued to **Monday, December 4, 2017, at 9:00**
11 **a.m.** in courtroom no. 27 before the undersigned.

12 Dated: September 11, 2017

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15 DEBORAH BARNES
16 UNITED STATES MAGISTRATE JUDGE
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26 ³ Plaintiff is also cautioned that the failure to comply with this order, or the failure to timely
27 prosecute this action, may result in an order dismissing this action for lack of prosecution and as a
28 sanction for failure to comply with court orders. See Local Rule 110.

⁴ Plaintiff's motion must be withdrawn or heard before the undersigned prior to November 17,
2017. Failure to comply with this order will result in the denial of plaintiff's motion.