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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER NATHANIEL  
WASHINGTON,  
  
Plaintiff,  
  
v.  
  
YOUNG, et al.,  
  
Defendants.

No. 2:16-cv-1341 JAM DB P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff claims defendants directed another inmate to physically assault him in violation of the Eighth Amendment. Presently before the court is plaintiff's motion for an extension of time to file new evidence. (ECF No. 78.)


Plaintiff requests the court refrain from ruling on the pending motion for terminating sanctions (ECF No. 41), for at least twenty days so that plaintiff can submit new evidence. Plaintiff seeks leave to file newly discovered evidence showing that defense counsel violated Federal Rule of Civil Procedure 11.

The pending motion for terminating sanctions relates to the allegation that plaintiff violated Rule 11 by filing a declaration purportedly written by a fellow inmate. However, a Rule 11 violation by defense counsel is unrelated and has no bearing on the court's ruling on

1 defendant's pending motion for sanctions. Plaintiff is informed that a motion for sanctions  
2 pursuant to Rule 11 must be made separately from any other motion. Fed. R. Civ. P. 11(c)(2).  
3 Accordingly, plaintiff does not need for an extension of time to file evidence showing defense  
4 counsel violated Rule 11 because such evidence will not impact on the court's ruling on the  
5 pending motion.

6 For the reasons set forth above, IT IS HEREBY ORDERED that plaintiff's motion for an  
7 extension of time (ECF No. 78) is denied.

8 Dated: January 13, 2019

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11 DEBORAH BARNES  
12 UNITED STATES MAGISTRATE JUDGE  
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