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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UMAR SHAHID,
Plaintiff,
v.
I. ALDAZ et al.,
Defendants.

No. 2:14-cv-0454 JAM KJN P (TEMP)

ORDER

Plaintiff is a state prisoner, proceeding pro se, with a civil rights action seeking relief under 42 U.S.C. § 1983. On June 10, 2015, plaintiff filed a motion for summary judgment. (Doc. No. 30) On June 17, 2015, then-Magistrate Judge Dale A. Drozd granted defendants an extension of time to file an opposition to plaintiff’s motion until after the court had ruled on their pending motion for summary judgment based on plaintiff’s purported failure to exhaust administrative remedies prior to filing suit. (Doc. No. 34) On November 12, 2015, the undersigned issued findings and recommendations, recommending granting in part and denying in part defendants’ motion for summary judgment. (Doc. No. 37) On December 29, 2015, the assigned district judge adopted the findings and recommendations in full. (Doc. No. 40) In accordance with Judge Drozd’s prior order, on January 19, 2016, defendants filed a cross-motion for summary judgment. (Doc. No. 41) On February 16, 2016, plaintiff filed a motion for an extension of time to respond to defendants’ cross-motion for summary judgment. (Doc. No. 42)


1 Good cause appearing, the court grants plaintiff's request for additional time to respond to
2 defendants' cross-motion for summary judgment. In addition, however, due to considerations of
3 judicial economy and the extended time period required for briefing by the parties, the court
4 denies plaintiff's motion for summary judgment filed on June 10, 2015, without prejudice to its
5 renewal, as appropriate, by plaintiff with his opposition to defendants' cross-motion for summary
6 judgment. In order to renew the motion, plaintiff shall file only a notice of renewal of the motion
7 for summary judgment. He shall not refile any of the documents he filed with the June 10, 2015
8 motion for summary judgment. If plaintiff files such a notice of renewal, the parties' cross-
9 motions for summary judgment will be submitted for findings and recommendations following
10 the filing of defendants' reply, if any, in support of their cross-motion for summary judgment.

11 In accordance with the above, IT IS HEREBY ORDERED that:

- 12 1. Plaintiff's February 16, 2016 motion for extension of time (Doc. No. 42) is granted;
- 13 2. Within thirty days of the date of service of this order, plaintiff shall file an opposition
14 to defendants' cross-motion for summary judgment; and
- 15 3. Plaintiff's June 10, 2015 motion for summary judgment (Doc. No. 30) is denied
16 without prejudice to its renewal with the filing of plaintiff's opposition to defendants' cross-
17 motion for summary judgment. Plaintiff shall renew his motion for summary judgment merely by
18 filing with his opposition a notice of motion for summary judgment. Thereafter plaintiff's
19 renewed motion for summary judgment will be submitted for findings and recommendations on
20 all the papers on file following the filing of defendants' reply in support of their cross-motion for
21 summary judgment.

22 Dated: February 24, 2016

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE