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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT GLEN MISTRIEL,
Plaintiff,

v.

KERN COUNTY, et al.,
Defendants.

CASE NO. 1:03-cv-06922-AWI-SKO

**ORDER GRANTING PLAINTIFF'S
MOTION FOR AN EXTENSION OF
TIME TO FILE AN OPPOSITION
BRIEF**

(Docket No. 63)

On September 20, 2011, Defendant Catholic Charities of the Diocese of Fresno ("Catholic Charities") filed a motion to dismiss the claims against it alleged in Plaintiff's Third Amended Complaint. (Doc. 63.) On October 20, 2011, Plaintiff filed a motion requesting a 45-day extension of time to file a brief in opposition to Catholic Charities' motion to dismiss. (Doc. 64.)

On July 19, 2011, the Court issued a Second Information Order informing all the parties that any opposition to a motion must be filed in compliance with Local Rule 230(1) and thus must be filed not more than 21 days after the date of service of the motion. (Doc. 54, ¶ 2; *see also* Local Rule 230(1).) While Plaintiff's request for additional time to file an opposition is untimely as it was filed after the time had passed to file a brief in opposition to the pending motion to dismiss, the Court will permit Plaintiff an extension of time to file a brief in opposition. Plaintiff is informed that extension requests filed out of time will not be viewed with favor in the future.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request for an extension of time to file a brief in opposition to Defendant Catholic Charities of the Diocese of Fresno's motion to dismiss is GRANTED *nunc pro tunc*; and
2. Plaintiff's opposition shall be filed **on or before December 5, 2011.**

IT IS SO ORDERED.

Dated: November 2, 2011

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE