

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DESHAWN HARDGE,

Plaintiff,

v.

ALAMEIDA, et al.,

Defendants.

CASE NO. 1:05-cv-00718-LJO-DLB PC

ORDER REQUIRING PLAINTIFF TO FILE
OPPOSITION TO DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT

OPPOSITION DUE WITHIN 30 DAYS

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Plaintiff Deshawn Hardge ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff's amended complaint filed April 14, 2006 against Defendants Adams and Ward for use of excessive force in violation of the Eighth Amendment. On August 20, 2009, the Court granted Plaintiff's requests for issuance of subpoena duces tecum as to Warden Ken Clark. (Doc. 52.) Clark was granted up to and including December 30, 2009, in which to respond to the subpoena for documents. On November 24, 2008, Defendants filed a motion for summary judgment. (Doc. 39.) That motion was taken off the Court's calendar pending completion of discovery. (Doc. 52.) Discovery is closed.¹

Accordingly, the Court HEREBY ORDERS that Plaintiff is to file and serve an opposition to Defendants' motion for summary judgment, filed November 24, 2008, within **thirty (30) days** from the date of service of this order. Defendants will have fourteen (14) days after service of the opposition in which to file and serve their reply, if any.

IT IS SO ORDERED.

Dated: March 29, 2010

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

¹ The Court presumes that both parties and Warden Clark complied with the discovery orders.