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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Robert Hackworth,
Plaintiff,

vs.

G Torres; et al.,
Defendants.

No. 06-cv-773-TUC-RCC

ORDER

Pending before this Court is Defendants’ Motion to Continue (Dock. #32), Plaintiff’s Motion for Default Judgment(Dock. #34), Plaintiff’s Motion for 30 Day Extension of Time(Dock. #37), Defendants’ Motion for Judgment, (Dock. #39), Plaintiff’s Motion to Relate Back (Dock. #41), Plaintiff’s Motion for 30 day extension of time (Dock. #43). The Court now rules.

1. Defendants’ Motion to Continue to file dispositive motion

On June 29, 2009, the Defendants requested this Court to extend the dispositive motion deadline to Monday, July 13, 2008 to file a Motion for Summary Judgment. The Court finds good cause. Therefore, it grants Defendants’ Motion to Continue and finds Defendants’ Motion for Summary Judgment (Dock. #32) timely.

2. Plaintiff’s Motion for Default Judgment

1 On July 8, 2009, Plaintiff filed a motion for default judgment against the Defendants.
2 Plaintiff contends that the Defendant has failed to answer his complaint and missed several
3 court orders. The Court denies Plaintiff's motion. The docket shows that Defendants have
4 requested motions for extension of time before their respective deadlines. Therefore, this
5 Court finds that the Defendants have not missed any deadlines that would constitute grounds
6 for default judgment.

7 **3. Motion for 30 Day Extension of Time to File Opposition**

8 On July 20, 2009, Plaintiff request this Court for an extension of time to file his
9 opposition. He also requested a second thirty day extension on February 26, 2010.
10 This Court finds good cause. Therefore Plaintiff shall have up to May 14, 2010 to file
11 his opposition to Defendants' Motion for Summary Judgment.

12 **4. Motion to Strike Motion for Default Judgment**

13 On July 23, 2009, Defendant filed a motion to strike Plaintiff's Motion for Default
14 Judgment. In Section 2, this Court denied Plaintiff's Motion for default judgment. Therefore,
15 this Motion is now moot.

16 **5. Motion for Ruling under Rule #4**

17 On February 16, 2010, Plaintiff's requested this Court to rule on motions mentioned
18 above. This Court finds this motion is moot.

19
20 Therefore,

21 **IT IS HEREBY ORDERED** that Defendants' Motion to Continue is **granted**.
22 (Dock. #34. The Court finds that Defendants' Motion for Summary Judgment is timely.
23 (Dock. #33).

24 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Default Judgment is
25 **denied**.(Dock. #34).


26 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Extension of Time is
27 **granted**. Plaintiff has until May 14, 2010 to file his opposition to Defendants' Motion for
28 Summary Judgment. (Dock. #37 & 43).

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IT IS FURTHER ORDERED that Defendants' Motion to Strike is **denied as moot.**(
Dock. #39).

IT IS FURTHER ORDERED that Plaintiff's Motion for Ruling is **denied.**(Dock.
#41).

DATED this 31st day of March, 2010.



Raner C. Collins
United States District Judge