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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RAYMOND WRIGHT,

CASE NO. 1:07-cv-00462-AWI-SKO PC

Plaintiff,

ORDER

v.

SCOTT KEBNAN, et al.,

Defendants.

Plaintiff Raymond Wright (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Defendants have not filed a responsive pleading in this action. Instead, Defendants filed two motions requesting dismissal of this action on the grounds that Plaintiff failed to update his address with the Court and made false statements in his complaint. Neither motion was a motion to dismiss under Rule 12. Therefore, the Rule 12(a)(4)(A) provision for extending the time to file a responsive pleading does not apply. Defendants’ responsive pleading is late.

Accordingly, Defendants are HEREBY ORDERED to file a responsive pleading within fourteen (14) days of the date of service of this order. No extensions of time will be granted for the filing of Defendants’ responsive pleading.

IT IS SO ORDERED.

Dated: September 21, 2010

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE