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

Mark S. Sokolsky,	)	No. 1:07-CV-00594-SMM
Plaintiff,	)	<b>ORDER</b>
v.	)	
W.T. Voss, et al.,	)	
Defendants.	)	

After the Court ordered Plaintiff to show cause, defense counsel immediately responded by letter indicating that Plaintiff’s response is not yet late (Dkt. 47). Defense counsel reminds the Court that it extended both the time for Defendants to file their motion for summary judgment and the time for Plaintiff to file his response. Defendants then filed their motion for summary judgment on February 24, 2010, but Plaintiff was not served until March 19, 2010. Defendants had sent copies of the motion and related documents to Plaintiff by first class mail, but the mail was returned to sender as “Unclaimed.” Defense counsel contacted the litigation coordinator at Coalinga State Hospital who stated that for some reason, the mail delivery was not made. Defendants attach proof of service that Plaintiff was then personally served on March 19, 2010. The Court finds that Plaintiff has not yet delayed in his response. The Court also finds good cause to extend the time for Plaintiff to file his response due to the deadline confusion and the lack of service of Defendants’ motion until March 19, 2010.

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Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's response is now due by **May 7, 2010**.

**IT IS FURTHER ORDERED** that Defendants' reply is now due by **May 25, 2010**.

DATED this 12<sup>th</sup> day of April, 2010.

  
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Stephen M. McNamee  
United States District Judge