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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSEPH R. PULLIAM,

CASE NO. 1:07-cv-00964-LJO-MJS PC

Plaintiff,

ORDER REQUIRING PLAINTIFF TO FILE
OPPOSITION TO DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT WITHIN
TWENTY-ONE DAYS

v.

M. LOZANO,

Defendant.

On July 14, 2011, Defendants Lozano and Mason filed a motion for summary judgment. (ECF No. 62.) Plaintiff was required to file an opposition or a statement of non-opposition to the motion within twenty-one days. Local Rule 230(l). After the Court granted Plaintiff's request for an extension of time, Plaintiff filed opposition. (ECF No. 66.) However, Plaintiff maintains that his opposition was incomplete because he had difficulties obtaining facts and information from Defendants Lozano and Mason and from third-parties. (Id.)

Prior to Defendants Lozano and Mason's motion for summary judgment, Plaintiff had filed a motion for a subpoena duces tecum. (ECF No. 55.) In the interim, the Court partially granted Plaintiff's motion, and the Warden of Kern Valley State Prison was to produce specified information on or around December 7, 2011. (ECF Nos. 68 & 71.) Plaintiff should now be able to file a complete opposition to Defendants Lozano and Mason's motion for summary judgment.

Accordingly, within **twenty (21) days** from the date of service of this order, Plaintiff

1 must file an opposition or a statement of non-opposition to Defendants Lozano and
2 Mason's motion for summary judgment. If Plaintiff fails to comply with this order, this
3 action will be dismissed, with prejudice, for failure to obey the Court's order, and failure to
4 prosecute.

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6 IT IS SO ORDERED.

7 Dated: January 21, 2012

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

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