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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LEROY DEWITT HUNTER,	CASE NO. 1:07-cv-01126-AWI-SKO PC
Plaintiff,	ORDER GRANTING PLAINTIFF AN
v.	EXTENSION OF TIME TO FILE A SECOND
	STATUS REPORT
DONNY YOUNGBLOOD, et al.,	(Doc. 62)
Defendants.	SIXTY-DAY DEADLINE

Plaintiff Leroy Dewitt Hunter, who was proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on August 3, 2007. This action is proceeding on Plaintiff’s second amended complaint, filed on December 16, 2010, against Defendant Parker for use of excessive physical force, in violation of the Due Process Clause of the Fourteenth Amendment.¹

On June 27, 2012, the Court appointed counsel for Plaintiff and granted counsel sixty days within which to review the record and undertake any initial investigatory steps he deemed necessary, including but not limited to meeting and conferring with Plaintiff and/or Defendant’s counsel. Plaintiff’s counsel was ordered to file a status report within sixty days regarding his ability to file a response to Defendant’s pending motion for summary judgment. The Court stated that if both parties sought any amendments to the scheduling order in light of counsel’s appointment, they should, if possible, reach an agreement and file a joint stipulation to modification of the scheduling order.

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¹ It appears Plaintiff was a pretrial detainee at the time of the incident.

1 On August 24, 2012, Plaintiff's counsel filed his status report. Counsel has undertaken some
2 investigatory steps, including conversing with Defendant's counsel. However, Plaintiff is no longer
3 located at the Lerdo Pretrial Facility in Bakersfield and contact has not yet been established with
4 him, as there is some question as to his location, which counsel represents may now be California
5 State Prison-Solano. Counsel seeks an additional sixty days.

6 Under the circumstances set forth in the status report, good cause exists to grant an additional
7 sixty days. Fed. R. Civ. P. 6(b)(1). To the extent counsel is willing and able to visit Plaintiff at least
8 once in person, he may contact Sujean Park at spark@caed.uscourts.gov or (916) 930-4278 for
9 preapproval of any reasonable expenses necessary to undertake that visit. At this juncture, however,
10 Plaintiff's location appears to be unknown. The Court checked with the California Department of
11 Corrections and Rehabilitation on August 27, 2012, and it was told that Plaintiff paroled to Region
12 4 on August 20, 2012.

13 Based on the foregoing, Plaintiff's motion for an extension of time is HEREBY GRANTED,
14 and Plaintiff has an additional **sixty (60) days** from the date of service of this order within which to
15 file a second status report.

16
17 IT IS SO ORDERED.

18 **Dated:** August 27, 2012

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE