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

Michael Lenoir Smith,  
Plaintiff,  
v.  
Arnold Schwarzenegger, et al.,  
Defendants.

No. 07-cv-1547 SRB (PC)

**ORDER**

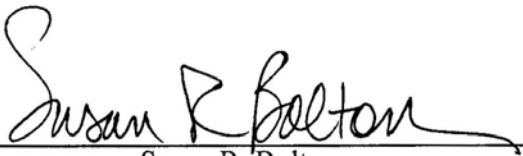
On July 21, 2015 this Court granted Plaintiff’s Third Motion for Court Order Access to the Court’s Prison Library and Court Order for Continuance to Respond to Defendants’ Motion for Summary Judgment and gave Plaintiff until August 20, 2015 to file his Response to Defendants’ Motion for Summary Judgment. No response has been filed in this Court and no courtesy copy has been received by this judge. On August 24, 2015 Defendants filed an Objection and Opposition to Plaintiff’s Correspondence and Motion for Order to Return Documents. In that filing Defendants suggest that Plaintiff may have mailed his Response to the Ninth Circuit Court of Appeals. The Court also notes that in an attachment to a letter dated July 28, 2015 Plaintiff states that he mailed his opposition to Defendants’ Motion for Summary Judgment to the Ninth Circuit Court of Appeals. This Court has no access to that Response if it was mailed to the Court of Appeals. Apparently no courtesy copy was sent to Defendants’ counsel. Plaintiff claims to have prepared his opposition to Defendants’ Motion for Summary Judgment. It was ordered to be filed by August 20, 2015 and has not been.

1 Plaintiff shall be given until Friday, October 9, 2015 to mail a copy of his  
2 opposition to Defendants' Motion for Summary Judgment to:

3 Honorable Susan R. Bolton  
4 401 W. Washington Street, SPC 50  
5 Phoenix, AZ 85003  
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7 If the opposition is not received in an envelope postmarked no later than October  
8 9, 2015, Defendant's Motion for Summary Judgment will be granted.

9 Dated this 21st day of September, 2015.  
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14 Susan R. Bolton  
15 United States District Judge  
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