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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA
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8 SERGIO ALEJANDRO GAMEZ,
9 Plaintiff,
10 vs.
11 F. GONZALEZ, et al.,
12 Defendants.
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1:08-cv-01113-LJO-GSA-PC

ORDER DENYING PLAINTIFF'S
REQUEST FOR EXTENSION OF
DEADLINE AS MOOT
(ECF No. 204.)

ORDER DENYING PLAINTIFF'S
REQUEST FOR LEAVE TO FILE
REQUEST FOR JUDICIAL NOTICE OF
DOCUMENTS
(ECF. No. 205.)

17 **I. BACKGROUND**

18 Sergio Alejandro Gamez ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma*
19 *pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on
20 August 1, 2008. (Doc. 1.)

21 This action now proceeds with the Fourth Amended Complaint filed on November 8,
22 2013, against defendants K. Holland (Warden, CCI), F. Gonzalez (Former Warden, CCI), J.
23 Tyree (IGI, CCI), J. Gentry (Former IGI, CCI), G. Adame (Assistant IGI, CCI), and G.
24 Jakobosky (SSU Special Agent) for due process violations, and retaliation against Plaintiff in
25 violation of the First Amendment. (Doc. 147.)

26 On November 23, 2015, Plaintiff filed a motion for an extension of the deadline to file
27 dispositive motions, and a motion for leave to file a request for judicial notice. (ECF Nos. 204,
28 205.)

1 **II. MOTION FOR EXTENSION OF TIME**

2 Plaintiff requests an extension of time until January 30, 2016 for the parties to file
3 dispositive motions. In light of the fact that on November 25, 2015, the Court extended the
4 deadline for the parties to file motions for summary judgment until February 8, 2016, Plaintiff's
5 motion for extension of time is moot and shall be denied as such.

6 **III. MOTION FOR LEAVE TO FILE REQUEST FOR JUDICIAL NOTICE**

7 Plaintiff requests leave to file a request for judicial notice of additional documents in
8 support of his case, in the event that Defendants file documents for *in camera* review in
9 response to the Court's order issued on November 9, 2015.¹ Plaintiff expresses concern that he
10 will not know which documents are submitted for *in camera* review, leaving him at a
11 disadvantage.

12 At the status conference held on November 20, 2015 for this action, the Court ordered
13 defense counsel to submit the documents to the Court for *in camera* review, after which the
14 Court will release all documents to Plaintiff to which he is entitled. (ECF No. 206.) In light of
15 this order, Plaintiff's request for leave to file a request for judicial notice shall be denied.

16 **IV. CONCLUSION**

17 Based on the foregoing, IT IS HEREBY ORDERED that:

- 18 1. Plaintiff's motion for extension of time is DENIED as moot; and
19 2. Plaintiff's request for leave to file a request for judicial notice is DENIED.

20 IT IS SO ORDERED.
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22 Dated: December 1, 2015

23 /s/ Eric P. Gray
24 UNITED STATES MAGISTRATE JUDGE
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28 ¹ On November 9, 2015, the Court issued an order granting Plaintiff's motion to compel,
requiring Defendants to provide documents to Plaintiff or submit documents for *in camera* review, within thirty
days. (ECF No. 201.)