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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GEORGE H. ROBINSON,

CASE NO. 1:08-cv-01380-AWI-BAM PC

Plaintiff,

v.

ORDER REQUIRING DEFENDANTS TO RESPOND TO PLAINTIFF’S MOTION TO COMPEL (ECF No. 153)

D. ADAMS, et al.,

Defendants.

ORDER ADDRESSING PLAINTIFF’S REQUEST FOR ORDER SETTING DEADLINE TO RESPOND (ECF No. 154)

/ TWENTY-DAY DEADLINE

Plaintiff George H. Robinson (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on the complaint, filed May 13, 2008, against Defendants David, Miranda, Melo, Garcia, Mendoza, Martinez, and Masiel for use of excessive force, and Defendants Adams and Ruiz for failing to protect Plaintiff in violation of the Eighth Amendment; and against Defendants Martinez, David, Miranda, and Garcia for assault and battery in violation of state law.

On November 2, 2012, Plaintiff filed a motion to compel asserting the Defendants have failed to respond to his request for interrogatories. Defendants have failed to file an opposition or statement of non-opposition to the motions. Local Rule 230(l). Defendants shall have twenty days in which to respond to the motion to compel.

Plaintiff also requests an order setting deadlines for his to reply to Defendant’s opposition to his motions. (ECF No. 154.) Local Rule 230(l) provides that “the moving party may, not more than seven (7) days after the opposition is served, serve and file a reply to the opposition.” Plaintiff

1 has filed a reply to the opposition to the motion to compel and sanctions filed October 29, 2012.
2 Plaintiff requests thirty days in which to reply to any opposition to the motion to compel. Since the
3 sole issue will be whether Defendants served a response or not, Plaintiff shall have fourteen days to
4 file his reply to the opposition.

5 Accordingly, it is HEREBY ORDERED that:

- 6 1. Defendants shall file an opposition or a statement of non-opposition to Plaintiff's
7 motion to compel within **twenty (20) days** from the date of service of this order;
- 8 2. Plaintiff shall file a reply within **fourteen (14) days** from the date of service of
9 Defendants' opposition; and
- 10 3. Failure to comply with this order may result in the imposition of sanctions deemed
11 appropriate by the Court. Local Rule 210.

12
13 IT IS SO ORDERED.

14 **Dated: November 21, 2012**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE