

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SY LEE CASTLE,

Plaintiff,

v.

A. HEDGPETH, et al.,

Defendants.

CASE NO. 1:08-cv-01754-AWI-SMS

ORDER FOR PLAINTIFF TO EITHER FILE AN
AMENDED OBJECTION TO DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT OR
NOTIFY COURT OF INTENT TO PROCEED
ON OBJECTION FILED

FIFTEEN-DAY DEADLINE

Plaintiff Sy Lee Castle ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff's first amended complaint filed May 12, 2009, against Defendants Hedgpeth, Marta, and Amavisca for violating Plaintiff's First Amendment right to free exercise of religion. (ECF No. 7.) Defendants filed a motion for summary judgment on April 20, 2011. (ECF No. 84.) Plaintiff filed an opposition on May 23, 2011, and a declaration in response on May 27, 2011. (ECF Nos. 86, 87.) Defendants filed a reply on May 31, 2011. (ECF No. 88.)

The second informational order was not issued in this case. For that reason, the order will now be issued. Rand v. Rowland, 154 F.3d 952, 962 (9th Cir. 1998) (notice to pro se litigants of requirements for opposing summary judgment notice is required).

Plaintiff will be given leave to amend his opposition to Defendants' motion. If Plaintiff does file an amended opposition, it must be complete in itself, the Court will not consider the opposition previously filed.

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1 Accordingly, the Court HEREBY ORDERS as follows:

- 2 1. The Clerk's Office shall send Plaintiff the second informational order;
- 3 2.. Within **fifteen (15) days** from the date of service of this order, Plaintiff shall either
- 4 file an amended opposition or notify the Court that he wishes to proceed on the
- 5 opposition filed May 23, 2011; and
- 6 3. If Plaintiff fails to file an amended opposition, the Court will proceed to decide the
- 7 motion on the opposition previously filed.

8 IT IS SO ORDERED.

9 **Dated: June 13, 2011**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE