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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ORRIN CARR,

Plaintiff,

v.

MATTHEW CATE, et al.,

Defendants.

CASE NO. 1:08-cv-01931-LJO-GBC PC

ORDER STRIKING DEFENDANTS' MOTION
FOR EXTENSION OF TIME AND
OPPOSITION AS MOOT

(Docs. 31, 32)

Plaintiff Orrin Carr ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The action is proceeding on the complaint filed December 17, 2008, against Defendants Matthew Cate and James Yates for promulgating and implementing a vague regulation in violation of the Due Process Clause of the Fourteenth Amendment. Pursuant to the Court's scheduling order, the deadline for the completion of all discovery is January 4, 2011. On October 20, 2010, Plaintiff filed a motion to compel discovery. (Doc. 27.) Having received no response from Defendants, the Court considered the motion and issued an order denying the motion, without prejudice, on November 29, 2010. On November 24, 2010, Defendants filed a motion for extension of time and an opposition. (Docs. 31, 32.) Since the motion has already been considered and denied, Defendants motion for extension of time and objection will be stricken from the record.

Accordingly, it is HEREBY ORDERED that Defendants' motion for nunc pro tunc extension of time and opposition, filed November 24, 2010, are STRICKEN FROM THE RECORD.

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IT IS SO ORDERED.

Dated: November 30, 2010


UNITED STATES MAGISTRATE JUDGE