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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 DENYING PLAINTIFF'S MOTION
FOR CONTINUANCE OF DEFENDANTS'
SUMMARY JUDGMENT MOTION AND
GRANTING PLAINTIFF'S MOTION FOR
EXTENSION

(ECF Nos. 54 & 55)

PLAINTIFF'S OPPOSITION TO MOTION
FOR SUMMARY JUDGMENT DUE
/ **SEPTEMBER 6, 2011**

ORDER

Plaintiff Orrin Carr is a state prison proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On May 24, 2011, Defendants filed a Motion for Summary Judgment ("MSJ"). (ECF No. 48.) On July 6, 2011, Plaintiff filed a motion entitled "Motion for Continuance of Defendants' Motion for Summary Judgment until Discovery is Complete". (ECF No. 54.) In it, Plaintiff states that he cannot complete his opposition to Defendants' MSJ without access to documents requested in discovery. Plaintiff further states that Defendants are in possession of these documents. Plaintiff states that "the Court has not yet made a ruling on Plaintiff's motion for production of documents." Plaintiff then requests an extension of time to file an opposition until after the Court issues its order.

The Court has reviewed its record of actions and did not find any motions for

1 production of documents that the Court has not issued an order for. At this point, the only
2 motion pending is Defendants' MSJ. Therefore, Plaintiff's Motion for a stay is denied.

3 Plaintiff also filed a second Motion for Extension of Time to File an Opposition to
4 Defendants' Motion. (ECF No. 55.) Plaintiff has presented good cause to the Court.
5 Thus, he is granted an extension of time to file an opposition to Defendants' Motion.

6 Accordingly, the Court HEREBY ORDERS that:

- 7 1. Plaintiff's Motion for a Continuance is DENIED;
- 8 2. Plaintiff's Motion for an Extension is GRANTED;
- 9 3. Plaintiff's Opposition to Defendants' Motion for Summary Judgment is due
10 **September 6, 2011**; and
- 11 4. No further extensions of time will be given.

12 IT IS SO ORDERED.

13 Dated: August 1, 2011

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15 UNITED STATES MAGISTRATE JUDGE