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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

DARRYL WAKEFIELD,

Plaintiff,

v.

RICHARD INDERMILL, et al.,

Defendants.

CASE NO. 1:09-cv-00274-LJO-SKO PC

ORDER GRANTING DEFENDANT’S  
REQUEST FOR EXTENSION OF TIME

(Doc. 25)

Plaintiff Darryl Wakefield (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On October 15, 2010, Defendant Indermill (“Defendant”) filed a request for an extension of time to file a motion to dismiss for failure to exhaust administrative remedies. (Doc. #25.) Pursuant to the Court’s discovery and scheduling order, motions to dismiss on failure to exhaust grounds were due on October 16, 2010. Defendant filed his motion to dismiss on October 18, 2010. (Doc. #26.) Good cause having been shown, the Court will grant Defendant’s request and the October 18, 2010 motion will be deemed timely.

Based on the foregoing, it is HEREBY ORDERED that Defendant’s October 15, 2010 request for an extension of time is GRANTED and Defendant’s October 18, 2010 motion to dismiss is deemed timely filed.

IT IS SO ORDERED.

**Dated: December 9, 2010**

**/s/ Sheila K. Oberto**  
**UNITED STATES MAGISTRATE JUDGE**