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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

FRANCISCO GIL,

Plaintiff,

v.

JAMES A. YATES, et al.,

Defendants.

CASE NO. 1:09-CV-00552-AWI-DLB PC

ORDER DISREGARDING PLAINTIFF'S  
MOTION FOR EXTENSION OF TIME

(DOC. 49)

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Plaintiff Francisco Gil ("Plaintiff") was formerly a California state prisoner. Plaintiff is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendant Amadi for deliberate indifference in violation of the Eighth Amendment and negligence.

Pending before the Court is Plaintiff's motion to postpone Defendant's motion for summary judgment, filed July 7, 2011. Plaintiff requests an extension of time to oppose Defendant's motion. Plaintiff's motion is unnecessary. No motion for summary judgment has been filed. Defendant Amadi has not filed an answer or other responsive pleading. Accordingly, it is HEREBY ORDERED that Plaintiff's motion, filed July 7, 2011, is DISREGARDED.

IT IS SO ORDERED.

**Dated: August 23, 2011**

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE