## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

ANTHONY JOHNSON,	) Case No.: 1:09-cv-01264-AWI-BAM PC
Plaintiff, v. L. GONZALEZ, et al.,	ORDER DIRECTING DEFENDANTS TO FILE A RESPONSE TO PLAINTIFF'S REQUEST TO AMEND HIS MOTION FOR SUMMARY JUDGMENT
Defendants.	) ) TEN-DAY DEADLINE ) )

Plaintiff Anthony Johnson ("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 proceeds on Plaintiff's complaint, filed on July 21, 2009, against Defendants L. Gonzalez and A. Murrieta for excessive force in violation of the Eighth Amendment. Following remand by the Ninth Circuit Court of Appeals, Defendants filed a motion for summary judgment on November 15, 2013. On December 5, 2013, Plaintiff filed a motion for summary judgment, which appears to be his opposition to Defendants' motion for summary judgment. Defendants did not reply.

On May 30, 2014, Plaintiff filed the instant request for an additional fifteen days to file an amended summary judgment motion. (ECF No. 103.) The Court construes the request as one for leave to file an amended opposition to Defendants' motion for summary judgment. Accordingly,

1	Defendants are HEREBY DIRECTED to file an opposition or statement of non-opposition to	
2	Plaintiff's request within ten (10) days from the date of this order.	
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4	IT IS SO ORDERED.	
5	Dated: <b>June 3, 2014</b>	/s/Barbara A. McAuliffe
6	Buttu. Guile 3, 2011	UNITED STATES MAGISTRATE JUDGE
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