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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JAMES M. LANIER,

Plaintiff,

vs.

FRESNO UNIFIED SCHOOL DISTRICT,

Defendant.

1:09 – CV – 1779 AWI SKO

**ORDER ON PLAINTIFF’S REQUEST
FOR TWENTY-DAY EXTENSION OF
TIME TO FILE OPPOSITION TO
PLAINTIFF’S MOTION FOR
SUMMARY JUDGMENT**

Doc. # 145

Currently before the court is a motion for summary judgment by defendant, Fresno Unified School District (“Defendant”). On October 10, 2013, the court denied the motion of plaintiff James Lanier (“Plaintiff”) for reconsideration of the court’s prior order dismissing Plaintiff’s claim pursuant to 42 U.S.C. § 1981. In that order, the court denied Plaintiff’s request to stay consideration of Defendant’s motion for summary judgment except to the extent that Plaintiff was given until October 21, 2013, to file an opposition to Defendant’s motion. On October 15, 2013, the court received a request for further continuance of the deadline for Plaintiff’s submission of an opposition for an additional twenty-day period. Plaintiff alleges he lives on a small fixed income and will be unable to afford the expense of obtaining a copy of his deposition and the costs of additional copying for at least an additional 20-day period.

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The court perceives no prejudice as a result of Plaintiff's requested extension of time and recognizes that his limited income represents a significant difficulty in the preparation of his opposition. The court will therefore grant the requested extension of time.

THEREFORE, for good cause shown and no prejudice appearing, it is hereby ORDERED that Plaintiff shall file and serve any opposition to Defendant's motion for summary judgment not later than November 1, 2013. Defendant may file and serve any reply not later than November 22, 2013.

IT IS SO ORDERED.

Dated: October 22, 2013



SENIOR DISTRICT JUDGE