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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

| | | |
|-------------------|---|---------------------------------|
| BILAL AHDOM, |) | 1:09-cv-01874-AWI-BAM (PC) |
| |) | |
| Plaintiff, |) | ORDER GRANTING PLAINTIFF’S |
| |) | MOTION FOR EXTENSION OF TIME TO |
| v. |) | FILE MOTION FOR APPOINTMENT OF |
| |) | COUNSEL |
| S. LOPEZ, et al., |) | (ECF No. 132) |
| |) | |
| Defendants. |) | ORDER GRANTING EXTENSION OF |
| |) | TIME TO RESPOND TO PENDING |
| |) | MOTIONS TO DISMISS |
| |) | |
| |) | |
| |) | |

Plaintiff Bilal Ahdom (“Plaintiff”), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983. On December 2, 2013, Defendants filed three separate motions to dismiss. On December 26, 2013, Plaintiff requested an extension of time to file his oppositions to the motions to dismiss. The Court granted his request and Plaintiff’s oppositions to the motions to dismiss were due on or before February 13, 2014. (ECF No. 99.) On February 13, 2014, Plaintiff requested a second extension of time to file his oppositions to the motions to dismiss. The Court granted his request and Plaintiff’s oppositions to the motions to dismiss were due on or before March 17, 2014. (ECF No. 104.)

On April 3, 2014, Plaintiff filed a motion for temporary restraining order. Following denial of his motion, Plaintiff submitted an interlocutory appeal to the Ninth Circuit Court of Appeals. On October 1, 2014, the Ninth Circuit granted Plaintiff’s request for voluntary dismissal of his interlocutory appeal and issued its mandate. (ECF No. 130.)

1 On October 6, 2014, the Court ordered Plaintiff to file an opposition or statement of non-
2 opposition to Defendants' motions to dismiss within twenty-one (21) days. (ECF No. 131.)

3 In lieu of an opposition, Plaintiff filed a motion requesting a thirty-day extension of time
4 to prepare and file a motion for the appointment of counsel. According to the motion, Plaintiff
5 claims that he is not capable of prosecuting this action because of his current physical and
6 cognitive functioning. Plaintiff reportedly suffered a stroke and experiences severe lumbar pain
7 for which he is taking high doses of morphine. He is confined to a wheelchair and needs
8 assistance with day-to-day activities. (ECF No. 132.)

9 Based on Plaintiff's assertions, the Court will grant him a thirty-day extension of time to
10 file a motion for appointment of counsel. Plaintiff's motion, if any, should be supported by
11 current medical records or prison chronos detailing Plaintiff's current mental and physical
12 functioning.

13 Additionally, the Court will grant Plaintiff a corresponding extension of time to file his
14 oppositions to the pending motions to dismiss.

15 For the reasons stated, IT IS HEREBY ORDERED that:

- 16 1. Plaintiff's motion for an extension of time to prepare and file a motion for the
17 appointment of counsel is GRANTED;
- 18 2. Plaintiff shall file and serve his motion for appointment of counsel within thirty-days
19 (30) from the date of this order;
- 20 3. Plaintiff is granted a sixty-day (60) extension of time to file his opposition or
21 statement of non-opposition to Defendants' pending motions to dismiss; and
- 22 4. **Plaintiff is warned that the failure to comply with this order will result in**
23 **dismissal of this action, with prejudice, for failure to prosecute.**

24
25 IT IS SO ORDERED.

26 Dated: November 3, 2014

27 /s/ Barbara A. McAuliffe
28 UNITED STATES MAGISTRATE JUDGE