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7 **UNITED STATES DISTRICT COURT**

8 EASTERN DISTRICT OF CALIFORNIA
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11 BILAL AHDOM,) 1:09-cv-01874-AWI-BAM (PC)
12 Plaintiff,)
13 v.) ORDER GRANTING PLAINTIFF'S
14 S. LOPEZ, et al.,) MOTION REQUESTING PARDON FOR
Defendants.) MISTAKE AND REQUEST FOR
) OPPORTUNITY TO FILE RESPONSE TO
) DEFENDANTS' DISCOVERY MOTIONS
) (ECF No. 179)
) **THIRTY (30) DAY DEADLINE**
17 _____)
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19 Plaintiff Bilal Ahdom ("Plaintiff"), a state prisoner proceeding pro se and in forma
20 pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on
21 Plaintiff's claims against Defendants Schaefer, Araich, Chen, Shittu, and Ashby for deliberate
indifference to serious medical needs in violation of the Eighth Amendment.

22 On February 18, 2016, Defendant Ashby filed a motion to compel certain discovery
23 responses. (ECF No. 170.) On February 29, 2016, Defendants Araich, Chen, and Shittu filed two
24 motions to compel certain discovery responses, (ECF Nos. 171, 173), and a motion to determine
25 the sufficiency of answers or objections, (ECF No. 172). Plaintiff failed to respond to any of
26 these motions.

27 On April 20, 2016, the Court ordered Plaintiff to file an opposition or statement of non-
28 opposition to Defendants' motions, listed above. (ECF No. 175.) Plaintiff was permitted thirty

1 (30) days from the date of service of that order to comply. (*Id.* at 2.) Thus, Plaintiff's response
2 was due on or before May 30, 2016. (ECF

3 On June 3, 2016, Plaintiff filed the current motion, entitled "Motion Requesting Pardon
4 for Mistake in Interpreting this Court's 4/20/16 Order and Requesting Another Opportunity to
5 File the Correct Response to Defendants' Motions." (ECF No. 179.) In that motion, Plaintiff
6 explained that on or about May 19, 2016, he mistakenly mailed to the Court his responses to
7 Defendants' discovery requests in lieu of an opposition or statement of non-opposition. The
8 discovery responses were returned to him on or around May 27, 2016, at which point he realized
9 he misinterpreted the Court's order, and subsequently filed this motion. Plaintiff requests another
10 opportunity to respond to the pending discovery motions, based on his attempt to comply and
11 mistake and confusion.

12 The Court finds good cause to grant Plaintiff one final opportunity to respond to the
13 pending discovery motions. Fed. R. Civ. P. 16(b)(4). The Court is hopeful that Plaintiff has sent
14 Defendants some discovery responses that may have eliminated some or all of the parties'
15 discovery dispute, and resolution between the parties of such disputes without Court intervention
16 is preferred.

17 Accordingly, Plaintiff is HEREBY ORDERED to file an opposition or a statement of
18 non-opposition to Defendants' discovery motions, listed above, (ECF No. 170, 171, 172, and
19 173), within thirty (30) days. **Plaintiff is warned that the failure to comply with this order**
20 **may result in the imposition of sanctions, up to and including the dismissal of this action.**

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22 IT IS SO ORDERED.

23 Dated: September 14, 2016

24 /s/ Barbara A. McAuliffe

25 UNITED STATES MAGISTRATE JUDGE

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