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

JASON LATRELL THOMAS,

CASE NO. 1:10-cv-00006-AWI-SKO PC

Plaintiff,

ORDER GRANTING MOTION FOR LEAVE TO FILE EXHIBIT H, NUNC PRO TUNC TO MAY 23, 2013, AND REQUIRING PLAINTIFF TO FILE OPPOSITION OR STATEMENT OF NON-OPPOSITION WITHIN THIRTY DAYS

v.

M. WILBER, et al.,

Defendants.

(Docs. 67 and 69)

Plaintiff Jason Latrell Thomas, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 4, 2010. On May 20, 2013, Defendants timely filed a motion for summary judgment. On May 23, 2013, Defendants filed a motion seeking an extension of time to file, nunc pro tunc to May 23, 2013, Exhibit H, which was inadvertently omitted from the motion.

Good cause having been shown, Defendants’ motion for leave to file Exhibit H nunc pro tunc to May 23, 2013, is HEREBY ORDERED GRANTED. It is further ORDERED that Plaintiff shall file an opposition or a statement of non-opposition to Defendants’ motion for summary judgment within **thirty (30) days** from the date of service of this order, and the failure to do so will result in dismissal of this action for failure to prosecute and failure to obey a court order. Local Rule 230(1).

IT IS SO ORDERED.

Dated: May 31, 2013

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE