

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

TRACY TAYLOR,	)	Case No.: 1:10-cv-00404-LJO-BAM PC
Plaintiff,	)	
v.	)	ORDER DIRECTING PLAINTIFF TO SUBMIT
	)	HIS OPPOSITION TO DEFENDANTS' MOTION
SUSAN HUBBARD, et al.,	)	TO DISMISS FOR FILING
Defendants.	)	(ECF Nos. 74, 91)
	)	
	)	
	)	

Plaintiff Tracy Taylor ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On September 17, 2012, Defendants Harrington and Wegman filed a motion to dismiss for failure to exhaust administrative remedies. (ECF No. 74.) After several extensions of time, Plaintiff did not file an opposition. However, on November 27, 2012, Defendants Harrington and Wegman requested an extension of time to file their reply to Plaintiff's opposition. (ECF No. 88.) In the request, defense counsel indicated that he received a paper copy of Plaintiff's opposition to the motion to dismiss on November 27, 2012, which appeared to have been served on November 21, 2012, along with a copy of Plaintiff's reply to Defendant Cate's opposition to Plaintiff's motion for preliminary injunction. (ECF No. 88, p. 3.)

Although the Court granted the requested extension and Defendants filed a reply on January 2, 2013, Plaintiff's opposition to the motion to dismiss was never filed with the Court. Accordingly,

1 Plaintiff SHALL SUBMIT a copy of his opposition for filing within **thirty (30) days** from the date of  
2 this order. If Plaintiff no longer has a copy of his opposition, then he shall notify the Court in writing  
3 within **fourteen (14) days** after service of this order, and the Court will direct Defendants to submit a  
4 copy for filing.

5  
6 IT IS SO ORDERED.

7 Dated: July 19, 2013

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE