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

TRACY TAYLOR,)	Case No.: 1:10-cv-00404-LJO-BAM PC
)	
Plaintiff,)	ORDER REQUESTING DEFENDANTS TO
)	SUBMIT A COPY OF PLAINTIFF’S OPPOSITION
v.)	TO DEFENDANTS’ MOTION TO DISMISS FOR
)	FILING
SUSAN HUBBARD, et al.,)	
)	
Defendants.)	(ECF Nos. 74, 91, 112)
)	
)	

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 had received a paper copy of Plaintiff’s opposition to the motion to dismiss on November 27, 2012. The opposition appeared to have been served on November 21, 2012, along with a copy of Plaintiff’s reply to his motion for preliminary injunction. (ECF No. 88, p. 3.) The Court granted the requested extension and Defendants filed their reply to the motion to dismiss on January 2, 2013. However, Plaintiff’s opposition to the motion to dismiss was never filed with the Court.

1 On July 19, 2013, the Court directed Plaintiff to submit a copy of his opposition within thirty
2 days. The Court also indicated that if Plaintiff no longer had a copy of his opposition, then he should
3 notify the Court. At that point, the Court would direct Defendants to submit a copy for filing.

4 On July 29, 2013, Plaintiff filed a written notice that he no longer has a copy of his opposition.
5 Plaintiff explains that prison policy limits his possession of property and the remainder must be
6 destroyed. (ECF No. 113.)

7 Based on Plaintiff's response, and in the interests of justice, the Court HEREBY REQUESTS
8 that Defendants Harrington and Wegman submit a copy of Plaintiff's opposition to the motion to
9 dismiss within fourteen (14) days of the date of this order. If Defendants no longer have a copy of
10 Plaintiff's opposition, they shall so notify the Court in writing within fourteen (14) days of the date of
11 this order.

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13 IT IS SO ORDERED.

14 Dated: July 30, 2013

/s/ Barbara A. McAuliffe
15 UNITED STATES MAGISTRATE JUDGE
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