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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

TRACY TAYLOR,

Plaintiff,

v.

SUSAN HUBBARD, et al.,

Defendants.

CASE NO. 1:10-cv-00404-BAM PC

ORDER GRANTING IN PART  
DEFENDANTS’ MOTION FOR AN  
EXTENSION OF TIME TO RESPOND AND  
DEFENDANTS SHALL FILE A RESPONSIVE  
PLEADING WITHIN THIRTY DAYS OF THE  
ORDER DENYING PLAINTIFF’S MOTION  
TO AMEND OR AN ORDER SCREENING  
THE SECOND AMENDED COMPLAINT

\_\_\_\_\_ / (ECF No. 42)

Plaintiff Tracy Taylor is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 2000cc-1 (Religious Land Use and Institutionalized Persons Act of 2000) (“RLUIPA”). This action is proceeding on the first amended compliant, filed July 16, 2010, against Defendants Harrington and Wegman for violation of the First Amendment and RLUIPA. The Court granted Defendants Harrington and Wegman’s motion for an extension of time to respond to the first amended complaint, and a responsive pleading is due on April 25, 2012. On March 23, 2012, Plaintiff filed a motion for leave to amend his complain and a second amended complaint was lodged. Defendants filed a statement of non-opposition to the motion to amend and a motion for an extension of time to respond.

If Plaintiff’s motion to amend is granted, Defendants request sixty days from the date of service of the order screening the second amended complaint to file a responsive pleading. Alternately, Defendants request that if Plaintiff’s motion to amend is denied, they be granted thirty days from the date of service of the order denying the motion to file a responsive pleading to the first

1 amended complaint.

2 Defendants' motion for an extension of time is HEREBY GRANTED IN PART, and  
3 Defendants shall have thirty days from the date of service of the order denying Plaintiff's motion to  
4 file an amended complaint or the order screening Plaintiff's second amended complaint to file a  
5 responsive pleading. If additional time, beyond the thirty days, is necessary to file a responsive  
6 pleading, Defendants must file a motion for an extension of time setting forth good cause.

7 IT IS SO ORDERED.

8 **Dated: April 2, 2012**

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

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