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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LUIS VALENZUELA RODRIGUEZ,

Plaintiff,

v.

HUBBARD, et al.,

Defendant.

1:10-cv-00858 LJO-DLB (PC)

ORDER GRANTING PLAINTIFF’S MOTION
FOR EXTENSION OF TIME

[ECF No. 131]

30-DAY DEADLINE

Plaintiff is a prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983.

This action is proceeding on Plaintiff’s third amended complaint, filed on February 29, 2012, against 1) Defendants Biter, Phillips, Da Veiga, Ozaeta, Betzinger, Gregory, Garza, Wegman, Alic, and Speidell for violation of the Free Exercise Clause of the First Amendment and the Equal Protection Clause of the Fourteenth Amendment; 2) Defendant Garza for retaliation in violation of the First Amendment; and 3) Defendants Biter, Da Veiga, Phillips, Ozaeta, Betzinger, Gregory, Wegman, Alic, and Rankin for deliberate indifference to Plaintiff’s safety in violation of the Eighth Amendment.

On January 30, 2015, the Court issued a discovery and scheduling order. The discovery

1 cut-off date was set for June 29, 2015, the deadline to amend pleadings was set for May 29, 2015,
2 and the dispositive motion deadline was set for August 27, 2015. On April 29, 2015, Defendants
3 filed a motion for summary judgment. On April 30, 2015, Defendants moved to modify the
4 discovery and scheduling order. On May 4, 2015, the Court granted the motion and extended the
5 discovery deadline to August 31, 2015, and the dispositive motion deadline to October 26, 2015.
6 On May 11, 2015, Plaintiff filed a motion for extension of time to comply with the discovery
7 schedule. On May 20, 2015, the Court granted Plaintiff thirty days from the date of service of the
8 order to comply with the discovery order. On June 1, 2015, Plaintiff filed a motion for extension
9 of time to file and opposition to Defendants' motion for summary judgment and statement of
10 disputed facts. On June 12, 2015, the Court granted Plaintiff thirty days from the date of service
11 of the order to file a response to Defendants' motion for summary judgment. On June 18, 2015,
12 Plaintiff filed a motion for extension of time. On June 30, 2015, the Court granted Plaintiff thirty
13 days from the date of service of the order to comply with the discovery schedule and to file a
14 response to Defendants' motion for summary judgment.

15 On July 14, 2015, Plaintiff filed the instant motion for extension of time. Plaintiff
16 requests an extension to complete his responses to Defendant's numerous interrogatories, and also
17 to serve his requests for production of documents on Defendants. Plaintiff also requests
18 additional time to prepare his response to Defendants' statement of undisputed facts, to prepare a
19 motion to compel, and to prepare and file his opposition to Defendants' motion for summary
20 judgment.

21 Pursuant to the Court's previous orders concerning the deadlines in this case, the current
22 discovery cut-off date is August 31, 2015. Therefore, Plaintiff's request for an extension of time
23 to reset the scheduling order in order to comply with and to submit discovery requests is
24 premature since Plaintiff still has one and a half months before the deadline. With respect to
25 Plaintiff's motion for an extension of time to file an opposition to Defendants' motion for
summary judgment, for good cause having been presented, the motion will be granted.

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ORDER

Accordingly, IT IS HEREBY ORDERED:

1) Plaintiff's motion for extension of time is GRANTED IN PART and DENIED IN PART;

2) Plaintiff's motion to reset the Court's scheduling order to extend the discovery cut-off date is DENIED without prejudice; and

3) Plaintiff's motion to extend time to file an opposition to Defendants' motion for summary judgment is GRANTED, and Plaintiff is GRANTED thirty days from the date of service of this order to file an opposition to the motion for summary judgment.

IT IS SO ORDERED.

Dated: July 15, 2015

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE