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

TONY HERNANDEZ,	)	Case No.: 1:10-cv-01064-LJO-SAB (PC)
	)	
Plaintiff,	)	
	)	ORDER GRANTING DEFENDANTS' REQUEST
v.	)	TO STAY OBLIGATION TO OPPOSE
	)	PLAINTIFF'S MOTION FOR SUMMARY
M. MARTINEZ, et al.,	)	JUDGMENT
	)	
Defendant.	)	[ECF No. 54]
	)	
	)	

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Plaintiff Tony Hernandez is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On May 13, 2015, Plaintiff filed a motion to stay the obligation to oppose Plaintiff's motion for summary judgment. (ECF No. 54.)

Pursuant to the Court's February 5, 2015, discovery and scheduling order, Defendant filed a motion for summary judgment for failure to exhaust the administrative remedies on May 5, 2015. Prior to Defendant's filing, Plaintiff filed a motion for summary judgment on April 22, 2015. (ECF No. 49.) Defendant requests that because no substantive discovery has been conducted in this matter and a motion for summary judgment for failure to exhaust the administrative remedies is pending, he be relieved of the obligation to file an opposition to Plaintiff's motion for summary judgment.

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Good cause having been presented to the Court, it is HEREBY ORDERED that Defendant is relieved of the obligation to file an opposition to Plaintiff's motion for summary judgment until ordered to do so by the Court.

IT IS SO ORDERED.

Dated: May 14, 2015

  
UNITED STATES MAGISTRATE JUDGE