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

SYLESTER WILLIAMS,	)	Case No.: 1:10-cv-01250-SAB (PC)
Plaintiff,	)	
v.	)	ORDER DISREGARDING PLAINTIFF'S NOTICE
	)	RELATING TO DISCOVERY
SERGEANT R. ANDERSON, et al.,	)	[ECF No. 74]
Defendant.	)	
	)	
	)	
	)	

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

On September 11, 2014, Plaintiff filed a notice pursuant to Local Rule 260(b). Local Rule 260(b) states:

Any party opposing a motion for summary judgment or summary adjudication shall reproduce the itemized facts in the Statement of Undisputed Facts and admit those facts that are undisputed and deny those that are disputed including with each denial a citation to the particular portions of any pleading, affidavit, deposition, interrogatory answer, admission, or other document relied upon in support of that denial. The opposing party may also file a concise "Statement of Disputed Facts," and the source thereof in the record, of all additional material facts as to which there is a genuine issue precluding summary judgment or adjudication. The opposing party shall be responsible for the filing of all evidentiary documents cited in the opposing papers. See L.R. 133(j). If a need for discovery is asserted as a basis for denial of the motion, the party opposing the motion shall provide a specification of the particular facts on which discovery is to be had or the issues on which discovery is necessary.

1 Local Rule 260(b).

2 Plaintiff's motion is deficient. First, Plaintiff has not filed an opposition to Defendants' motion  
3 for summary judgment. Second, Plaintiff does not describe with specification the particular facts on  
4 which discovery is necessary. Third, Plaintiff overlooks the fact that the discovery deadline expired  
5 on April 21, 2014, and Plaintiff states that his first set of interrogatories was served on September 4,  
6 2014. Fourth, Plaintiff contends a response is required 21 days after service, however, the Court's  
7 discovery and scheduling order issued August 21, 2013, specifically states "Responses to written  
8 discovery requests shall be due forty-five days after the request is first served." (ECF No. 31, Order at  
9 1:22.) In addition, the discovery request must be served at least forty-five days before the discovery  
10 deadline. (Id. at 1:24.)

11 Accordingly,

12 IT IS HEREBY ORDERED that Plaintiff's notice relating to discovery pursuant to Local Rule  
13 260(b), is DISREGARDED.

14  
15 IT IS SO ORDERED.

16 Dated: September 12, 2014



UNITED STATES MAGISTRATE JUDGE