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

ALVARO QUEZADA,)	Case No.: 1:10-cv-01402-AWI-SAB (PC)
Plaintiff,)	
v.)	ORDER GRANTING PLAINTIFF’S SECOND
R. LINDSEY, et al.,)	REQUEST TO EXTEND TIME TO FILE AN
Defendants.)	OPPOSITION TO DEFENDANTS’ PENDING
)	MOTION FOR SUMMARY JUDGMENT
)	[ECF No. 58]
)	

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

On December 19, 2014, Plaintiff filed a second motion to extend the time to file an opposition to Defendants’ motion for summary judgment.

The Court previously granted Plaintiff a thirty day extension of time to file an opposition to Defendants’ motion on November 18, 2014. (ECF No. 57.) In addition, on September 4, 2014, the Court granted Plaintiff’s request to defer ruling on the Defendants’ motion for summary judgment until the then-pending motion to compel was resolved. (ECF No. 53.) On October 30, 2014, the Court resolved Plaintiff’s motion to compel, and Plaintiff was directed to file an opposition within thirty days. (ECF No. 52.)

The Court will grant Plaintiff one final extension of time to file an opposition. Defendants’ motion for summary judgment has been pending since July 2014. (ECF No. 50.) The Court has

1 resolved the pending discovery matters, and although the discovery deadline does not expire until
2 December 30, 2014, the Court will not delay ruling on the pending motion for summary judgment
3 relating to exhaustion of the administrative remedies for Plaintiff to pursue discovery relating to the
4 merits of this case. Plaintiff has had ample time to request and receive discovery documents relating
5 to exhaustion of the administrative remedies, and Plaintiff present motion for a further extension
6 merely cites to several discovery requests and responses thereto. Plaintiff merely argues in conclusory
7 terms that such discovery requests relate to exhaustion of the administrative remedies. Indeed, in the
8 instant motion, Plaintiff appears to present legal and factual arguments relating to the exhaustion of the
9 administrative remedies, which should appropriately be raised in an opposition to Defendants' motion
10 for summary judgment. Furthermore, Plaintiff's present motion is 339 pages in length, consisting of
11 20 pages of argument and 319 pages of exhibits. Plaintiff repeatedly directs the Court to several of the
12 exhibits, stating for instance, "Plaintiff request the Court to review the following request(s) and
13 response(s) of production in Ex. 'VII' Nos' 5-6, 8, 16, 18, and No. 20. Now plaintiff request the court
14 to review plaintiff's NC-Letter dated Nov. 18, 2014; now see the Def.s' responses to No.s' 5-6, 8, 16-
15 18, and No. 20." (ECF No. 58, Motion at 17:19-23.) Plaintiff is advised that it is not the duty of the
16 Court to wade through numerous exhibits to piece together and determine the exact nature of
17 Plaintiff's arguments. Rather, it is incumbent upon Plaintiff to set forth all arguments in a concise and
18 clear manner with or without reference to supporting documents. While the Court is mindful that
19 Plaintiff is proceeding pro se, the Court finds that an additional thirty (30) days is sufficient time for
20 Plaintiff to file an opposition to Defendants' motion for summary judgment, given the length of time
21 Defendants' motion has been pending and Plaintiff's prior extensions.¹ No further extensions of time
22 will be granted, absent a showing of extraordinary circumstances, not present here.

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27 ¹ The Court also notes that Defendants previously filed a motion to dismiss the complaint for failure to exhaust under Rule
28 12(b) of the Federal Rules of Civil Procedure (prior existing authority), and Plaintiff filed a lengthy opposition, with
supporting documents. (ECF Nos. 32, 34.)

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Based on the foregoing,

IT IS HEREBY ORDERED that Plaintiff is granted thirty (30) days from the date of service of this order to file an opposition to Defendants' motion for summary judgment. No further extensions of time will be granted, absent a showing of extraordinary circumstances, not present here.

IT IS SO ORDERED.

Dated: December 24, 2014



UNITED STATES MAGISTRATE JUDGE