



1 opposition on March 3, 2014. Thereafter, the Court granted Plaintiff a ten-day extension of time to  
2 file his reply. (ECF No. 130.)

3 On March 21, 2014, Plaintiff filed a second motion to extend time to file his reply to  
4 Defendants' opposition. Plaintiff explained that he required additional time to access the law library,  
5 conduct research and prepare a reply. Plaintiff asserted that he was limited to two to three hours of  
6 law library access per week. (ECF No. 131.) The Court granted Plaintiff's motion for an extension of  
7 time, and Plaintiff's reply was due on or before April 22, 2014. (ECF No. 132.)

8 After receiving no reply, on April 28, 2014, the Court issued an order denying Plaintiff's  
9 motion to reopen discovery. (ECF No. 134.) On the same date, however, Plaintiff's third motion for  
10 extension of time to reply to Defendants' opposition was entered onto the Court's docket. The motion  
11 contained a proof of service dated April 22, 2014, which is timely under the mailbox rule. Douglas v.  
12 Noelle, 567 F.3d 1103, 1106-07 (9th Cir. 2009). The motion was received on April 25, 2014, but not  
13 entered onto the Court's docket until April 28, 2014, after issuance of the order denying Plaintiff's  
14 motion to reopen discovery. (ECF No. 135.) In other words, the Court issued its order denying the  
15 motion prior to receiving notification of Plaintiff's request for additional time to reply. The Court now  
16 considers Plaintiff's request.

17 In that request, Plaintiff contends that he has been unable to access the law library since March  
18 2014 and he seeks an additional twenty-four (24) days to complete his research. Plaintiff believes that  
19 his request for law library access has been resolved and he will now be given access. (ECF No. 135.)

20 The Court has considered Plaintiff's moving papers and finds good cause for the brief  
21 extension of time. As a result, the Court will vacate its order denying Plaintiff's motion to reopen  
22 discovery and will grant Plaintiff's motion for a twenty-four day extension of time. However, Plaintiff  
23 is cautioned that no further extensions of time shall be granted absent a demonstrated showing of good  
24 cause.

25 For the reasons stated, IT IS HEREBY ORDERED as follows:

- 26 1. The Court's order denying Plaintiff's motion for order reopening discovery, issued on  
27 April 28, 2014, is VACATED;

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2. Plaintiff's third motion for an extension of time of 24-days to file his reply to Defendants' response, filed on April 25, 2014, is GRANTED;
3. Plaintiff shall serve and file his reply to Defendants' opposition to the motion to reopen discovery on or before May 16, 2014;
4. **No further extensions of time shall be granted absent a demonstrated showing of good cause.**

IT IS SO ORDERED.

Dated: April 29, 2014

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE