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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TROY MITCHELL NAYLOR,
Plaintiff,
v.
CLIFF ALLENBY,
Defendant.

CASE NO. 1:11-cv-01649-LJO-MJS (PC)

ORDER:
**GRANTING DEFENDANT’S MOTION FOR
EXTENSION OF TIME (ECF No. 24); AND
GRANTING IN PART PLAINTIFF’S
MOTION FOR EXTENSION OF TIME (ECF
No. 25)**

Plaintiff is a civil detainee proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. (ECF Nos. 1 & 5.) This matter proceeds against Defendant Duvall on Plaintiff’s First Amendment retaliation and Fourth Amendment unlawful search claims. (ECF No. 6.)

On December 9, 2014, the undersigned issued findings and recommendations to grant in part and deny in part Defendant’s request for judicial notice, and to grant in part and deny in part Defendant’s motion to dismiss. (ECF No. 23.) The parties were afforded fourteen days to file written objections to the findings and recommendations.

On December 22, 2014, Defendant moved to extend time to file objections to January 9, 2015 due to defense counsel’s participation in an unanticipated federal

1 appeal of an unrelated state court order. (ECF No. 24.) Also on December 22, 2014,
2 Plaintiff moved to extend time to file objections by ninety days to conduct additional legal
3 research. (ECF No. 25.)

4 Defendant has presented good cause for a minimal extension of time. Plaintiff
5 also has presented good cause; however, in light of the limited nature of the findings and
6 recommendations, which are largely in Plaintiff's favor, a ninety day extension is
7 unwarranted. The parties will be afforded thirty (30) days from the date of service of this
8 order to file and serve written objections to the findings and recommendations.

9 Based on the foregoing, it is HEREBY ORDERED that:

- 10 1. Defendant's motion for extension of time (ECF No. 24) is GRANTED;
- 11 2. Plaintiff's motion for extension of time (ECF No. 25) is GRANTED IN
12 PART;
- 13 3. Any party may file and serve written objections to the findings and
14 recommendations within thirty (30) days of the service of this order; and
- 15 4. Any reply to the objections shall be filed and served within fourteen (14)
16 days after service of the objections.

17
18 IT IS SO ORDERED.

19 Dated: January 6, 2015

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE