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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

STEPHEN CLARK,	)	Case No. 1:12-cv-00461-LJO-BAM PC
	)	
Plaintiff,	)	ORDER DISCHARGING ORDER TO
	)	SHOW CAUSE WHY ACTION SHOULD
vs.	)	NOT BE DISMISSED FOR FAILURE TO
	)	PROSECUTE
DR. KOKOR, et al.,	)	(ECF No. 28)
	)	
Defendants.	)	ORDER GRANTING PLAINTIFF’S
	)	REQUEST FOR EXTENSION OF TIME TO
	)	RESPOND TO DEFENDANTS’ MOTION
	)	TO DISMISS
	)	(ECF No. 29)
	)	

Plaintiff Stephen Clark (“Plaintiff”), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action on March 27, 2012. This action proceeds on Plaintiff’s complaint against Defendants Ugwueze and Kokor for deliberate indifference to serious medical needs in violation of the Eighth Amendment.

On April 25, 2014, Defendants Ugwueze and Kokor filed a motion to dismiss for failure to state a claim and for qualified immunity. (ECF No. 17.) Plaintiff failed to file an opposition or statement of non-opposition to the motion. Local Rule 230(1). Accordingly, on November 7, 2014, the Court ordered Plaintiff to file a response to Defendants’ motion to dismiss within twenty-one days. Plaintiff was warned that the failure to comply with the Court’s order would result in dismissal of this action, with prejudice, for failure to prosecute. (ECF No. 25.)

1 On December 1, 2014, the Court granted Plaintiff a thirty-day extension of time to file his  
2 response to Defendants' motion to dismiss. (ECF No. 27.) Plaintiff failed to file a timely  
3 opposition. Therefore, on January 13, 2015, the Court ordered Plaintiff to show cause, within  
4 twenty-one (21) days, why this action should not be dismissed, with prejudice, for failure to  
5 prosecute. (ECF No. 78.)

6 On February 3, 2015, Plaintiff filed a response to the order to show cause, along with a  
7 notice of change of address. In his response, Plaintiff explains that as a result of incidents  
8 occurring in early December 2014, he was forced to relocate his family for safety reasons.  
9 Plaintiff now requests a second extension of time to file his opposition to Defendant's motion to  
10 dismiss. (ECF No. 29.)

11 Based on Plaintiff's response, the Court finds good cause to extend the deadline for  
12 Plaintiff's opposition to the motion to dismiss. Accordingly, the Court's January 13, 2015 order  
13 to show cause is **HEREBY DISCHARGED**. Further, Plaintiff's request for an extension of time  
14 to file his opposition to Defendants' motion to dismiss is **HEREBY GRANTED**. Plaintiff shall  
15 serve and file his opposition to the motion to dismiss within thirty (30) days after service of this  
16 order. No further extensions of time shall be granted absent a showing of good cause. If  
17 Plaintiff fails to comply with this order, this action may be dismissed for failure to prosecute or  
18 failure to obey a court order.

19 IT IS SO ORDERED.

20 Dated: February 3, 2015

21 /s/ Barbara A. McAuliffe  
22 UNITED STATES MAGISTRATE JUDGE  
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