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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

HORACE MANN WILLIAMS,  
Plaintiff,  
v.  
CATES, et al.,  
Defendant(s).

1:12-cv-00730-LJO-SKO (PC)

ORDER DISCHARGING ORDER TO SHOW  
CAUSE AND GRANTING PLAINTIFF AN  
EXTENSION OF TIME TO FILE RESPONSE  
TO MOTION FOR SUMMARY JUDGMENT

(Docs. 110, 111)

THIRTY (30) DAY DEADLINE

Plaintiff is a prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. Defendants file a motion for summary judgment on September 7, 2017. (Doc. 106.) A Second Informational Order issued on September 12, 2017, informing Plaintiff of his duty and responsibility to file an opposition or statement of non-opposition within twenty-one (21) days of the date Defendants filed their motion. (Doc. 107.) More than a month passed without Plaintiff filing either. Thus, on October 20, 2017, an order issued for Plaintiff to show cause why the action should not be dismissed both for his failure to obey the Court's order and to prosecute this action. (Doc. 111.) The same day that the order to show cause issued, Plaintiff filed a motion seeking a forty-five (45) day extension of time to file a response to Defendants' motion for summary judgment. (Doc. 110.)

However, Plaintiff provides no information as to why he desires a forty-five day extension of time; nor any explanation as to why he was unable to respond to Defendants' motion within the

1 deadline stated in the Second Informational Order. (Doc. 110.) Though Plaintiff has not shown  
2 good cause for either his failure to file a response to Defendants' motion for summary judgment,  
3 nor for the extended time he now seeks, the Court understands that Plaintiff may have been  
4 planning on receiving an extension of time and is not likely to have an opposition at hand to  
5 immediately file. Thus, while Plaintiff is not given the forty-five (45) day extension he requested,  
6 Plaintiff is granted thirty (30) days in which to submit an opposition. Further extension of time  
7 will not be granted without a showing of good cause.

8 IT IS HEREBY ORDERED that the order to show cause, that issued on October 20, 2017  
9 (Doc. 111) is DISCHARGED and Plaintiff is granted thirty (30) days from the date of service of  
10 this order to file a response to Defendants' motion for summary judgment.

11 IT IS SO ORDERED.

12 Dated: October 25, 2017

13 /s/ Sheila K. Oberto  
14 UNITED STATES MAGISTRATE JUDGE