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

HORACE THOMAS, a.k.a Horace Bell,	)	Case No.: 1:12-cv-01248-AWI-SAB (PC)
Plaintiff,	)	
v.	)	ORDER GRANTING DEFENDANTS' MOTION TO MOFIY DISCOVERY AND SCHEDULING ORDER NUNC PRO TUNC TO MAY 10, 2015
S HEBERLING, et al.,	)	
Defendants.	)	[ECF Nos. 86, 93]
	)	
	)	

Plaintiff Horace Bell is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983.

On April 9, 2015, Defendants filed a motion to modify the discovery and scheduling order. Plaintiff filed an opposition on April 17, 2015.

The Court's January 9, 2015, discovery and scheduling order, set a April 9, 2015, deadline to file a motion for summary judgment relating to exhaustion of the administrative remedies.

Defendants request an extension to April 16, 2015, to file a motion for summary judgment for failure to exhaust the administrative remedies because of the inability to obtain a necessary declaration to support their motion. Plaintiff opposes Defendants' request and requests a court order to process his administrative remedies. Plaintiff is advised that his request was previously denied and does not present a basis to deny Defendants' present request for an extension of time to file a motion for summary judgment relating to exhaustion. (ECF Nos. 60, 72.)

1 In as much as Defendants filed a motion for summary judgment for failure to exhaust the  
2 administrative remedies on April 10, 2015, and good cause having been presented to the Court,  
3 Defendants' motion is GRANTED nunc pro tunc to April 10, 2015.

4  
5 IT IS SO ORDERED.

6 Dated: May 14, 2015

  
UNITED STATES MAGISTRATE JUDGE