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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MARK S. SOKOLSKY,  
Plaintiff,

vs.

STATE OF CALIFORNIA, et al.,  
Defendants.

1:13-cv-02044-LJO-GSA-PC

**ORDER DENYING PLAINTIFF'S  
MOTION FOR ENTRY OF SUMMARY  
JUDGMENT DUE TO DEFENDANTS'  
FAILURE TO OPPOSE SUMMARY  
JUDGMENT  
(ECF No. 64.)**

Plaintiff is a civil detainee proceeding *pro se* in a civil rights action pursuant to 42 U.S.C. § 1983. This case now proceeds on Plaintiff's Second Amended Complaint, filed on February 4, 2016, against defendants Domrese, King, Meek, Porter, and Bonsu ("Defendants") for denial of free exercise of religion under the First Amendment and violation of RLUIPA; and defendants Domrese, King, Porter, and Bonsu for violation of due process for conditions of confinement. (ECF No. 30.)

On December 23, 2016, Plaintiff filed a motion for summary judgment, which is pending. (ECF No. 61.) On February 28, 2016, Defendants filed an opposition to the motion. (ECF No. 65.) On March 16, 2017, Plaintiff filed a response to the opposition. (ECF No. 67.) On February 27, 2017, Plaintiff filed a motion for entry of summary judgment due to Defendants' failure to oppose summary judgment. (ECF No. 64.)

1 Plaintiff requests the court to enter summary judgment on the ground that Defendants  
2 failed to file an opposition to his motion for summary judgment filed on December 23, 2016.  
3 Plaintiff's request is moot because on February 28, 2017, Defendants filed their opposition, and  
4 on March 31, 2017, the court issued an order extending Defendants' deadline to file the  
5 opposition nunc pro tunc. (ECF Nos. 65, 69.)

6 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for entry of summary  
7 judgment filed on February 27, 2017, is DENIED as moot.

8  
9 IT IS SO ORDERED.

10 Dated: May 4, 2017

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE