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

IVAN LEE MATTHEWS,	)	Case No.: 1:14-cv-00083-BAM (PC)
	)	
Plaintiff,	)	ORDER GRANTING DEFENDANTS’ EX PARTE
	)	APPLICATION FOR ENLARGEMENT OF TIME
v.	)	TO FILE RESPONSE TO THE FOURTH
	)	AMENDED COMPLAINT
R. LILES, et al.,	)	
	)	(ECF No. 27)
Defendants.	)	
	)	
	)	
	)	
	)	

Plaintiff Ivan Lee Matthews (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff consented to magistrate judge jurisdiction. (ECF No. 5.) This case currently proceeds on Plaintiff’s fourth amendment complaint alleging retaliation and denial of access to the courts in violation of the First Amendment, against Defendants Liles, Sherrett and Cable. Defendants’ response to the fourth amended complaint is currently due on or before May 10, 2016. (ECF No. 25.)

On May 9, 2016, Defendants filed a motion for an order revoking Plaintiff’s in forma pauperis status under 28 U.S.C. 1915(g) (“three-strike motion”). (ECF No. 26.) Concurrently with the three-strike motion, Defendants filed the instant ex-parte application for an enlargement of time in which to file a response to Plaintiff’s fourth amended complaint. (ECF No. 27.) Defendants seek to extend their

1 deadline to respond to the fourth amended complaint until thirty (30) days after a final ruling on the  
2 three-strike motion is issued, if the case is not dismissed. Plaintiff has not responded to Defendants'  
3 application, but the Court finds no response necessary and that Plaintiff will not be prejudiced by the  
4 Court's consideration of the requested extension. Local Rule 230(1).

5 The Court finds good cause to grant Defendants' requested extension of time. Fed. R. Civ. P.  
6 16(b)(4). The Court takes no position at this time on the merits of Defendants' three-strike motion.  
7 However, as Defendants argue, the three-strike motion, if granted, may eliminate the need for a  
8 responsive pleading here, and Plaintiff may be required to pay the filing fee prior to proceeding with this  
9 lawsuit. Judicial economy is best served by avoiding the burden or expenses of further litigation in this  
10 matter until the three-strike motion is resolved.

11 Accordingly, IT IS HEREBY ORDERED THAT:

- 12 1. Defendants' request for an enlargement of time (ECF No. 27) is granted; and,
- 13 2. Defendants shall file their response to the forth amended complaint within thirty (30) days of  
14 a final order on the three-strike motion.

15  
16 IT IS SO ORDERED.

17 Dated: May 10, 2016

/s/ Barbara A. McAuliffe  
18 UNITED STATES MAGISTRATE JUDGE