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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 OVERRULING PLAINTIFF’S
)	OBJECTIONS TO DEFENDANTS REQUEST FOR
v.)	EXTENSION OF TIME TO RESPOND TO
)	FOURTH AMENDED COMPLAINT
R. LILES, et al.,)	
)	
Defendants.)	(ECF No. 30)
)	
)	

On May 10, 2016, the Court granted Defendants’ request to extend the time for their response to Plaintiff’s amended complaint until thirty (30) days after a final ruling on their motion for an order revoking Plaintiff’s in forma pauperis status (“three-strike motion”). (ECF No. 28.) Plaintiff objects to the order granting the extension, arguing that Defendants’ three-strike motion is insufficient. (ECF No. 30.) Plaintiff specifically argues that certain of his cases which were dismissed did not “count” as strikes under the PLRA. Plaintiff further argues that he is prejudiced here by undue delay and by being required to respond to Defendants’ three-strike motion. Concurrently with these objections, Plaintiff filed a motion to deny the three-strike motion.

Plaintiff’s objections are overruled. The Court takes no position on the merits of Defendants’ three-strike motion or Plaintiff’s motion to deny the three-strike motion at this time. However, as the Court previously explained, judicial economy is best served by considering Defendants’ three-strike motion, which may result in a dismissal without prejudice of this action, before expending further

1 resources managing this litigation. Should Defendants' motion be denied, Plaintiff will not be
2 prejudiced by the brief delay in litigation caused by the briefing and evaluation of the three-strike
3 motion.

4 Accordingly, Plaintiff's objections to the order granting Defendants' request for an extension
5 of time to respond to the amended complaint, (ECF No. 30), are OVERRULED.

6
7 IT IS SO ORDERED.

8 Dated: May 23, 2016

9 /s/ Barbara A. McAuliffe
10 UNITED STATES MAGISTRATE JUDGE