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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL NEIL JACOBSEN,
Plaintiff,
v.
PEOPLE OF THE STATE OF CALIFORNIA,
Defendant.

Case No. 1:14-cv-00108-JLT (PC)
ORDER DISCHARGING ORDER TO SHOW CAUSE AND GRANTING PLAINTIFF ONE, FINAL EXTENSION OF TIME TO FILE A RESPONSE TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
(Doc. 126, 127, 128)
30-DAY DEADLINE

On August 24, 2017, the Court ordered Plaintiff to show cause why this action should not be dismissed because of his failure to comply with the Court's order and for failure to prosecute this action by not filing a response to Defendants' motion for summary judgment. (Doc. 126.) In his response to the OSC, Plaintiff indicates that though he initially began preparing an opposition, he has been unable to complete and file it because of twice being arrested and no longer having access to a copy of Defendants' motion. (Doc. 127.) Plaintiff's unwillingness to conform his conduct to that required by law—and hence, become arrested—is not good cause for the extension of time requested. Nevertheless, the Court will grant Plaintiff **one final extension** of time to file an opposition or statement of non-opposition to Defendants' motion as well as copies of the documents which Plaintiff requests.

1 **ORDER**

2 1. The Court grants Plaintiff **one final extension of 30 days** to file an opposition or a
3 statement of non-opposition to Defendants' motion for summary judgment;

4 2. The Clerk's Office is directed to forward copies of Defendants' motion for
5 summary judgment and all exhibits (Docs. 114, 116), the Second Amended Complaint (Doc. 16),
6 and the Fifth Amended Discovery and Scheduling Order (Doc. 102).

7 **If Plaintiff fails to file an opposition or statement of non-opposition to Defendants'**
8 **motion for summary judgment within 30 days of the date of service of this order, either**
9 **Defendants' motion will be ruled on without Plaintiff's input or the action will be dismissed**
10 **for Plaintiff's failure to obey the Court's orders and to prosecute this action.**

11 IT IS SO ORDERED.

12 Dated: **October 19, 2017**

13 **/s/ Jennifer L. Thurston**
14 UNITED STATES MAGISTRATE JUDGE