

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

OMAR GARCIA, JR.,

1:14-cv-00476-BAM (PC)

Plaintiff,

13 || v.

ORDER REQUIRING DEFENDANTS TO  
RESPOND TO PLAINTIFF'S MOTION TO  
COMPEL

Defects

(ECF No. 41)

## **TWENTY-ONE (21) DAY DEADLINE**

Plaintiff Omar Garcia, Jr. (“Plaintiff”), proceeding pro se and in forma pauperis, initiated this civil rights action pursuant to 42 U.S.C. § 1983 while he was detained at the Bob Wiley Detention Facility in Visalia, California. Plaintiff is now a state prisoner housed at California State Prison, Los Angeles County. This action proceed on Plaintiff’s first amended complaint against: (1) Defendants O’Rafferty and Kaiois (sued as Kaious) for excessive force in violation of the Fourteenth Amendment, (2) Defendant Onstott for failure to intervene in violation of the Fourteenth Amendment; (3) Defendants O’Rafferty, Kaiois, Flores, Avina, Myers (sued as Meyers) and Ellis for deliberate indifference to serious medical needs in violation of the Fourteenth Amendment; and (4) Defendants O’Rafferty, Kaiois, Flores, Avina, Myers and Ellis for negligence in violation of state law.

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1       Currently before the Court is Plaintiff's motion to compel, filed on January 22, 2018.  
2 (ECF No. 41.) Based on this filing, it is unclear to the Court whether Plaintiff seeks further  
3 responses to certain requests for production, or whether Plaintiff has mistakenly served the Court  
4 with his discovery requests. Defendants' response to this motion was due within twenty-one (21)  
5 days of service of the motion, but no response was filed. Local Rule 230(l).

6 Accordingly, it is HEREBY ORDERED that Defendants shall file a response to Plaintiff's  
7 motion to compel (ECF No. 41) within **twenty-one (21) days** of the date of service of this order.  
8 Any request for an extension of time to comply with this order will require a showing of good  
9 cause.

IT IS SO ORDERED.

12 Dated: **February 14, 2018**

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