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

JEFFREY P. PERROTTE,)	Case No.: 1:15-cv-00026-LJO-SAB (PC)
)	
Plaintiff,)	
)	ORDER DENYING AS MOOT PLAINTIFF’S
v.)	MOTION FOR A COURT ORDER TO SERVE
)	DEFENDANTS’ MOTION FOR SUMMARY
STACEY JOHNSON, et al.,)	JUDGMENT AND GRANTING PLAINTIFF’S
)	REQUEST FOR AN EXTENSION OF TIME TO
Defendants.)	FILE AN OPPOSITION
)	
)	[ECF Nos. 86, 87, 88, 89]

Plaintiff Jeffrey P. Perrotte is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On June 22, 2017, Plaintiff filed a motion requesting the Court order Defendants to serve a copy of their motion for summary judgment filed on May 5, 2017. On this same date, Defendants filed an opposition to Plaintiff’s motion.

On July 20, 2017, Plaintiff filed a motion for an extension of time to file an opposition to Defendants’ pending motion for summary judgment. On July 20, 2017, Defendants filed an opposition.

On May 5, 2017, Defendants Stacey Johnson and Jean LeFlore filed a motion for summary judgment. On June 1, 2017, Defendants filed a declaration in lieu of a reply because Plaintiff did not file an opposition.

1 In his June 20, 2017, motion, Plaintiff contends that he never received a copy of Defendants'
2 motion for summary judgment. Defendants submit and attached a proof of service to the motion for
3 summary judgment demonstrating that Plaintiff was properly served at his address of record. (ECF
4 Nos. 79, 81-85, 87.) Defendants further submit that on June 20, 2017, at the request of Plaintiff, they
5 forwarded Plaintiff a courtesy copy of the motion for summary judgment on.

6 In his July 20, 2017, motion, Plaintiff indicates that he has now received a copy of Defendants'
7 motion for summary judgment and requests an extension of time to file an opposition.

8 Although the record does support Defendants' contention that their motion for summary
9 judgment was properly served on Plaintiff at his address of record, given that Plaintiff is proceeding
10 pro se and is incarcerated, the Court will grant Plaintiff an extension of time to file an opposition to
11 Defendants' pending motion for summary judgment.

12 Accordingly, it is HEREBY ORDERED that:

- 13 1. Plaintiff's motion for a court order providing him a copy of Defendants' motion for
14 summary judgment is denied as moot; and
- 15 2. Plaintiff is granted thirty days from the date of service of this order to file an opposition
16 to Defendants' motion for summary judgment.

17
18 IT IS SO ORDERED.

19 Dated: July 21, 2017



UNITED STATES MAGISTRATE JUDGE