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

TOM MARK FRANKS,  
  
Plaintiff,  
  
v.  
  
SERGEANT KIRK, *et al.*  
  
Defendants.

Case No. 1:15-cv-00401-EPG-PC  
  
ORDER GRANTING PLAINTIFF’S  
MOTIONS FOR EXTENSION OF TIME TO  
FILE OPPOSITION TO DEFENDANTS’  
MOTION FOR SUMMARY JUDGMENT  
  
(ECF Nos. 47, 48)

Plaintiff Tom Mark Franks is proceeding *pro se* and *in forma pauperis* in this action alleging violations of 42 U.S.C. § 1983. On August 31, 2017, Defendants filed a motion for summary judgment. (ECF No. 46.) On September 21, 2017 and September 25, 2017, Plaintiff filed motions for extension of time to file opposition to Defendants’ motion for summary judgment. (ECF Nos. 47, 48.) Plaintiff states that he did not receive Defendants’ motion until September 13, 2017, because it was improperly mailed and improperly processed. On September 27, 2017, Defendants filed a statement of non-opposition to Plaintiff’s motions for an extension of time. (ECF No. 49.)

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Accordingly, good cause appearing, Plaintiff's motions are granted. Plaintiff is granted an extension of time until October 5, 2017 in which to file his opposition to Defendants' motion for summary judgment.

IT IS SO ORDERED.

Dated: October 2, 2017

/s/ Eric P. Groj  
UNITED STATES MAGISTRATE JUDGE