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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

REAMEL CURTIS,  
Plaintiff,  
vs.  
KELLI HARRINGTON, *et al.*,  
Defendants.

1:15-cv-00553-LJO-EPG-PC  
ORDER DISCHARGING ORDER TO  
SHOW CAUSE  
ORDER GRANTING EXTENSION OF  
TIME TO FILE RESPONSE  
**THIRTY DAY DEADLINE**

Curtis Reamel (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. On April 10, 2015, Plaintiff filed the Complaint commencing this action. (ECF No. 1). This case is proceeding on Plaintiff’s Eighth Amendment claim for failure to protect against defendants Gonzalez and Burgarin (“Defendants”). (ECF Nos. 15, 20).

On June 14, 2017, Defendants filed a motion for summary judgment contending that judgment should be entered in their favor because Plaintiff failed to exhaust his administrative remedies as required by the Prison Litigation Reform Act. *See* 42 U.S.C. § 1997e(a) (“No action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted”). Defendant Burgarin moved for

1 summary judgment on the additional ground that he was not involved in the underlying events  
2 giving rise to Plaintiff's claim.

3 On July 28, 2017, the Court ordered Plaintiff to show cause as to why judgment should  
4 not be entered in favor of Defendants for Plaintiff's failure to respond to the pending motion for  
5 summary judgment. (ECF No. 37) .

6 Plaintiff filed a response to the order to show cause on August 17, 2017 indicating that  
7 he could not respond because his institution was on lockdown for 16 days, and he did not have  
8 access to the law library. (ECF No. 38). Plaintiff requests a 30-day extension of time to file a  
9 response to the pending motion for summary judgment. (*Id.*)

10 Based on the forgoing, the Court DISCHARGES the Order to Show Cause and  
11 GRANTS Plaintiff 30-days to file a response to the pending motion for summary judgment.

12 The response will be due by September 22, 2017 and no further extensions of time will  
13 be granted.

14 Plaintiff is WARNED that any further failure to act by deadlines will result in dismissal  
15 of his case for failure to prosecute.

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17 IT IS SO ORDERED.

18 Dated: August 21, 2017

19 /s/ Eric P. Gray  
20 UNITED STATES MAGISTRATE JUDGE  
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