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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA

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8 MANUEL ANTONIO GONZALEZ,

9 Plaintiff,

10 v.

11 J. RAZO, et al.,

12 Defendants.

1:15-cv-01098-DAD-EPG (PC)

ORDER DENYING PLAINTIFF’S MOTION
FOR EXTENSION OF TIME AND MOTION
FOR COURT TO INSTRUCT
DEFENDANTS TO SERVE PLAINTIFF’S
ATTORNEY
(ECF NOS. 64 & 65)

ORDER DIRECTING CLERK TO SERVE
PLAINTIFF WITH A COPY OF THIS
ORDER

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17 Manuel Antonio Gonzalez (“Plaintiff”) is a state prisoner, and is the plaintiff in this
18 civil rights action filed pursuant to 42 U.S.C. § 1983, which includes attendant state law claims.
19 Plaintiff is represented by counsel. On June 15, 2017, Plaintiff filed a motion for extension of
20 time (ECF No. 64) and a motion for the Court to instruct Defendants to serve Plaintiff’s
21 attorney (ECF No. 65).

22 Both of Plaintiff’s motions will be denied. Plaintiff is represented by counsel. If
23 Plaintiff’s counsel needs an extension of time, he may ask for one. It is also Plaintiff’s
24 counsel’s responsibility to ask the Court to open discovery, if Plaintiff’s counsel believes
25 discovery is necessary to respond to the motion for summary judgment, and to file an
26 opposition to the motion for summary judgment. Plaintiff cannot file motions separate and
27 apart from his counsel.

28 As to Plaintiff’s allegation that the motion for summary judgment was improperly

1 served on Plaintiff but not his counsel, Plaintiff is mistaken. When the motion for summary
2 judgment was filed, Plaintiff's counsel was served electronically. Local Rule 135(a).
3 Accordingly, Plaintiff's counsel has been served with the motion, and there is no need for the
4 Court to order Defendants to serve Plaintiff's counsel with a copy of the motion.

5 Therefore, based on the foregoing, IT IS ORDERED that Plaintiff's motion for
6 extension of time and motion for the Court to instruct Defendants to serve Plaintiff's attorney
7 are DENIED.

8 IT IS FURTHER ORDERED that the Clerk of Court is directed to serve Plaintiff with a
9 copy of this order.

10 IT IS SO ORDERED.

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12 Dated: June 16, 2017

13 /s/ Eric P. Groj
14 UNITED STATES MAGISTRATE JUDGE
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