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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN CARLOS ALVAREZ,

Plaintiff,

v.

ALEX CHAVARRIA, et al.,

Defendants.

Case No. 1:16-cv-00067-MJS

**ORDER DISCHARGING ORDER TO
SHOW CAUSE**

Plaintiff is a prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. On September 12, 2017, Defendant Chavarria filed a motion to dismiss the complaint for failure to state a claim. (ECF Nos. 20-22.) Plaintiff did not respond to the motion.

Under the Local Rules of Practice for the United States District Court for the Eastern District of California, opposition, if any, to the granting of a motion “shall be in writing and shall be filed and served not less than fourteen (14) days preceding the noticed (or continued) hearing date.” Local Rule 230(c).

Here, Plaintiff failed to comply with Local Rule 230. However, given Plaintiff’s pro se status and considering the interests of justice, on October 19, 2017, the court gave

1 Plaintiff a thirty day opportunity to explain his failure to respond and to provide a
2 substantive response to Defendant's pending motion to dismiss. (ECF No. 23.)

3 On November 21, 2017, Plaintiff filed a motion for extension of time to respond to
4 the order to show cause and the motion to dismiss. (ECF No. 24.) He explains that he is
5 confined to administrative segregation, which limits his access to the law library and to
6 the assistance of the law librarian and other inmates. Plaintiff asks for an additional thirty
7 days to respond to the motion to dismiss.

8 The Court granted Plaintiff's motion for extension of time. (ECF No. 25.) By this
9 submission, Plaintiff has demonstrated good cause for missing the deadline.
10 Accordingly, IT IS HEREBY ORDERED that the Order to Show Cause (ECF No. 23) be
11 and is DISCHARGED.

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13 IT IS SO ORDERED.

14 Dated: November 28, 2017

15 */s/ Michael J. Seng*
16 UNITED STATES MAGISTRATE JUDGE
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