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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 ALVINA FISCHER, formerly known as
12 ALVINA BANNISTER,

13 Plaintiff,

14 v.

15 DITECH FINANCIAL LLC, DITECH
16 MORTGAGE CORPORATION, GREEN
17 TREE SERVICING LLC, EVERBANK,
18 and EVERHOME MORTGAGE
19 COMPANY,

20 Defendants.

No. 1:16-cv-01558-DAD-EPG

ORDER GRANTING PLAINTIFF'S MOTION
FOR EXTENSION OF TIME TO FILE A
RESPONSE TO DEFENDANTS' MOTION
TO DISMISS

(Doc. No. 22)


21 On April 4, 2017, the court held a hearing on defendants' pending motion to dismiss
22 plaintiff Alvina Fischer's amended complaint. Plaintiff had failed to file any written opposition
23 to the motion. At the hearing and at her request, the court granted plaintiff two week within
24 which to file a written opposition to the motion to dismiss. (See Doc. No. 21.) On April 17,
25 2017, plaintiff filed a motion for an extension of time to file her opposition. (Doc. No. 22.)
26 Specifically, plaintiff requests an extended deadline of June 2, 2017, in which to do so and
27 explains that an opposition would "require extensive investigation, and consultation with various
28 public officials of the State of California." (*Id.* at 1.) Plaintiff also vaguely references the closure
of the federal law library due to budget and construction delays. (*Id.* at 2.) Plaintiff fails to

1 demonstrate how any of these explanations, even if true, are relevant to her inability to timely file
2 an opposition brief regarding the sufficiency of her amended complaint. Moreover, plaintiff
3 provides no justification for why an additional six-week extension is necessary.

4 Nevertheless, the court recognizes the challenges facing pro se litigants, and in the
5 interests of justice, finds good cause to grant plaintiff a brief additional extension of time.
6 Accordingly, plaintiff's deadline to file her written opposition to defendant's motion to dismiss is
7 extended to **May 2, 2017**. Defendants shall file their reply, if any, by **May 9, 2017**. No further
8 extensions of time will be granted for this purpose. Plaintiff is advised that in her opposition, she
9 should address the arguments raised in defendants' motion to dismiss. To the extent plaintiff
10 believes she can state cognizable claims by curing pleading deficiencies in her amended
11 complaint, plaintiff is encouraged in her opposition to (1) request further leave to amend her
12 complaint, and (2) explain to the court what *new or additional factual allegations* she plans to add
13 in a second amended complaint. Doing so should not necessitate any additional legal research on
14 plaintiff's part.

15 IT IS SO ORDERED.

16 Dated: **April 20, 2017**

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19 UNITED STATES DISTRICT JUDGE
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