1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 ROGELIO MAY RUIZ, No. 1:17-cv-00709-AWI-HBK (PC) 12 ORDER PROVIDING PLAINTIFF 21 DAYS Plaintiff. TO RESPOND TO DEFENDANT'S MOTION 13 TO DISMISS v. 14 R. MOBERT, Official Regular at CSATF Corcoran Prison. 15 Defendant. 16 17 18 Pending before the court is defendant's motion to dismiss filed November 19, 2020. 19 (Doc. No. 57). As of the date of this Order, plaintiff has not opposed or otherwise responded to 20 that motion. (See docket). Plaintiff previously moved for appointment of counsel on March 2, 21 2020. (Doc. No. 46). That motion was denied on August 25, 2020 (Doc. No. 51) and Plaintiff's 22 motion for reconsideration was denied on April 6, 2021. (Doc. No. 58). In the event plaintiff was 23 awaiting a ruling on his motion for reconsideration before responding to defendant's motion to 24 dismiss, the court will provide plaintiff 21 days from date of this order to file any opposition 25 under Local rule 230(c). If no response is timely received the court will deem defendant's motion

Accordingly, it is **ORDERED**:

ripe for review without the benefit of a response.

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1	Plaintiff may file a response, if any, to defendant's motion to dismiss (Doc. No. 57) within	
2	2 21 days from receipt of this order.	
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4	4 IT IS SO ORDERED.	
5	5 Dated: <u>April 7, 2021</u>	Helina M. Barch - Kuelte
6	6	HELENA M. BARCH-KUCHTA
7	7	UNITED STATES MAGISTRATE JUDGE
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