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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF CALIFORNIA  
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10 FRANK WELLS,

11 Plaintiff,

12 v.

13 ROSA GONZALES,

14 Defendant.

Case No. 1:17-cv-01240-DAD-EPG (PC)

ORDER ALLOWING PLAINTIFF TO  
FILE A SUPPLEMENTAL  
OPPOSITION TO DEFENDANT'S  
MOTION FOR SUMMARY  
JUDGMENT

15 Frank Wells ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in  
16 this civil rights action.

17 On September 4, 2019, Defendant filed a motion for summary judgment. (ECF No.  
18 58). Plaintiff filed his opposition to the motion on September 23, 2019. (ECF No. 63). In his  
19 opposition, Plaintiff states that he has not yet received the discovery that the Court ordered  
20 Defendant to produce by September 27, 2019. (See ECF No. 55 & ECF No. 63, p. 31).

21 As Plaintiff filed his opposition without the benefit of the discovery the Court ordered  
22 Defendant to produce by September 27, 2019, the Court will allow Plaintiff to file a  
23 supplemental opposition.

24 Accordingly, IT IS ORDERED that:

- 25 1. Plaintiff has until October 18, 2019, to file a supplemental opposition to  
26 Defendant's motion for summary judgment; and

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1            2. Defendant has until November 1, 2019, to file a reply to Plaintiff's opposition  
2            and supplemental opposition.

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4 IT IS SO ORDERED.

5 Dated: September 26, 2019

/s/ Eric P. Gray  
6 UNITED STATES MAGISTRATE JUDGE