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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES C. McCURDY,)	Case No.: 1:17-cv-01356-LJO-SAB (PC)
)	
Plaintiff,)	
)	ORDER GRANTING PLAINTIFF’S THIRD
v.)	MOTION FOR EXTENSION OF TIME TO FILE
)	OBJECTIONS
S. KERNAN, et al.,)	
)	[ECF No. 24]
Defendants.)	
)	
)	

Plaintiff James C. McCurdy is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff’s third motion for an extension of time to file objections to the March 21, 2018 Findings and Recommendations, filed August 8, 2018.

On October 30, 2017, the Magistrate Judge filed Findings and Recommendations, recommending that this action proceed against Defendant Bautista for excessive force in violation of the Eighth Amendment and battery under California law. (ECF No. 17.) It was recommended that all other claims and defendants be dismissed for failure to state a cognizable claim for relief. (Id.) The Findings and Recommendations were served on Plaintiff and contained notice that objections were to be filed within thirty days. (Id.)

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1 Plaintiff did not file objections within the thirty-day time frame. On April 23, 2018, the
2 Findings and Recommendations were adopted in full. (ECF No. 18.) On this same date, but after the
3 order adopting was placed on the docket, Plaintiff filed a motion for an extension of time to file
4 objections to the Findings and Recommendations. (ECF No. 19.) On April 24, 2018, the Court
5 granted Plaintiff's request and allowed him thirty days to file objections. (ECF No. 20.) On May 31,
6 2018, Plaintiff filed a second motion for an extension of time to file objections. (ECF No. 21.) On
7 June 4, 2018, the Court granted Plaintiff an additional thirty days to file objections. (ECF No. 22.)
8 Over thirty days passed and Plaintiff did not file objections. Accordingly, on July 19, 2018, the Court
9 determined that the action shall proceed action as it presently stands, and forwarded Plaintiff the
10 service of process forms form completion and return within thirty days. (ECF No. 23.)

11 Plaintiff now seeks a third extension of time to file objections and submits that he attempted to
12 mail a request for an extension of time on July 2, 2018 and he is currently in need of additional time to
13 file the objections. (ECF No. 24.)

14 On the basis of good cause, it is HEREBY ORDERED that Plaintiff is granted thirty days from
15 the date of service of this order to file objections. However, no further extensions of time will be
16 granted absent extraordinary circumstances, not present here.

17
18 IT IS SO ORDERED.

19 Dated: August 10, 2018



UNITED STATES MAGISTRATE JUDGE