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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

COREY WILLIAMS,
Plaintiff,
v.
BRANDON PRICE, et al.,
Defendants.

Case No. 1:18-cv-00102-NONE-SAB (PC)
ORDER REQUIRING DEFENDANTS TO
SUPPLEMENT MOTION FOR JUDGMENT
ON THE PLEADINGS
THIRTY DAY DEADLINE

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Corey Williams (“Plaintiff”), a civil detainee, is appearing pro se and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. On February 21, 2020, Defendants Brandon Price and Pamela Ahlin filed a motion for judgment on the pleadings. (ECF No. 62.) Plaintiff received two extensions of time to file an opposition making his opposition due on May 30, 2020. (ECF Nos. 66, 68.) Plaintiff did not file a timely opposition and the matter is deemed submitted pursuant to Local Rule 230(1).

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In reviewing the motion, Defendants present evidence that Plaintiff filed an action, Williams v. Price, No. 19 CE CL 02848 (Fresno Cnty. Sup. Ct.) (here after “Williams II”), alleging loss of property in the Superior Court for the State California, Fresno County, on March 14, 2019. (ECF No. 6201 at pp. 111-13.) On November 7, 2019, the matter came on regularly for hearing and the state court sustained Defendant’s demurrer without leave to amend on all grounds stated. (ECF No. 62-1 at 127-28.) On January 31, 2020, judgment was entered

1 dismissing the action in favor of Defendant Price. (ECF No. 62-1 at 129.) The complaint was
2 dismissed in its entirety as to Defendant Price and the action was dismissed with prejudice. (Id.
3 at 130.)

4 Defendants have not presented any evidence as to the grounds upon which the demurrer
5 was brought. The Court shall require Defendants to supplement the record with evidence of the
6 grounds upon which the demurrer was sustained.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. Within **thirty (30) days** of the date of entry of this order, Defendants shall
9 supplement the record with evidence of the grounds upon which the demurrer in
10 Williams v. Price, No. 19 CE CL 02848 (Fresno Cnty. Sup. Ct.) was sustained; and
- 11 2. Upon filing of the supplement this matter will be deemed submitted pursuant to
12 Local Rule 231(1).

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14 IT IS SO ORDERED.

15 Dated: June 9, 2020


UNITED STATES MAGISTRATE JUDGE