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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

LAWRENCE CHRISTOPHER SMITH,  
Plaintiff,  
vs.  
PARRIOT, et al.,  
Defendants.

**1:19-cv-00286-NONE-GSA-PC**  
**ORDER REQUIRING PLAINTIFF TO**  
**FILE OPPOSITION TO DEFENDANTS'**  
**MOTION FOR SUMMARY JUDGMENT**  
**ON OR BEFORE JANUARY 15, 2022**  
**(ECF No. 47.)**

Lawrence Christopher Smith (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action filed pursuant to 42 U.S.C. § 1983. This case now proceeds with the First Amended Complaint filed on September 10, 2020, against defendants Cantu, W. Gutierrez, and Mattingly (“Defendants”) for use of excessive force in violation of the Eighth Amendment. (ECF No. 22.) On September 15, 2021, Defendants filed a motion for summary judgment on the grounds that Plaintiff failed to exhaust administrative remedies and pursuant to Heck v. Humphrey.<sup>1</sup> (ECF No. 47.) Plaintiff has not filed an opposition to the motion for summary judgment.

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<sup>1</sup> Heck v. Humphrey, 512 U.S. 477 (1994).

1 On November 8, 2021, the court issued an order imposing a stay of discovery, except for  
2 discovery pertaining to the issues raised in Defendants' motion for summary judgment, pending  
3 resolution of the motion for summary judgment. (ECF No. 51.) Plaintiff was granted until  
4 November 22, 2021, to serve discovery requests related to issues in the motion for summary  
5 judgment. (ECF No. 51 at 3:23-27.) The discovery deadline was extended to January 15, 2022.

6 In view of this schedule, Plaintiff shall be required to file his opposition to the motion for  
7 summary judgment on or before January 15, 2022.

8 Accordingly, IT IS HEREBY ORDERED that Plaintiff file his opposition to Defendants'  
9 motion for summary judgment on or before January 15, 2022.

10 IT IS SO ORDERED.

11 Dated: December 15, 2021

12 /s/ Gary S. Austin  
13 UNITED STATES MAGISTRATE JUDGE