UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GUILLERMO TRUJILLO CRUZ, Plaintiff, v. TREVINO, *et al.*, Defendants.	Case No. 1:21-cv-00104-DAD-BAM (PC) ORDER GRANTING PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO FILE OBJECTIONS TO FINDINGS AND RECOMMENDATIONS (ECF No. 8) **THIRTY (30) DAY DEADLINE**

Plaintiff Guillermo Trujillo Cruz ("Plaintiff") is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

On January 28, 2021, the Court issued findings and recommendations recommending that Plaintiff's motion for leave to proceed *in forma pauperis* be denied. (ECF No. 5.) Plaintiff was directed to file any objections to the findings and recommendations within fourteen days. (Id.)

Currently before the Court is Plaintiff's "Motion to Retained Pending Case," filed February 11, 2021. (ECF No. 8.) Plaintiff requests that the Court retain the pending case because on February 8, 2021, Pelican Bay State Prison Release and Receiving Officer Chandler Property Staff refused to transpack Plaintiff's legal documents pertaining to this case. Plaintiff states that this was done in retaliation and to prevent him from meaningful access to the courts, which will lead him to have this case dismissed for failure to prosecute. Plaintiff therefore asks that the court retain the case until Plaintiff returns back to his current institution. (Id.)

The Court construes the motion as one requesting an extension of time to file Plaintiff's objections to the pending findings and recommendations. The Court finds that Plaintiff's lack of legal property presents good cause for an extension of this deadline. Plaintiff has not stated when he will be returned to the institution where his legal materials are located, but the Court finds that a thirty-day extension of time is appropriate under the circumstances.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for extension of time to file objections to the findings and recommendations, (ECF No. 8), is GRANTED; and
2. Plaintiff shall file his objections to the January 28, 2021 findings and recommendations within **thirty (30) days** from the date of service of this order.

IT IS SO ORDERED.

Dated: **February 16, 2021**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE