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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARQUISE WALKER,
Plaintiff,
v.
HOWARD,
Defendant.

Case No.: 1:22-cv-00332-JLT-CDB

**ORDER GRANTING EXTENSION OF
TIME WITHIN WHICH TO FILE WAIVER
OF SERVICE AND TO FILE RESPONSIVE
PLEADING**

(Doc. 20)

Plaintiff Marquise Walker is proceeding pro se and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On May 6, 2024, the California Department of Corrections and Rehabilitation (CDCR) filed its Notice of E-Service Waiver, indicating Defendant Maurice Howard intended to waive personal service. (Doc. 19.) Defendant’s waiver was due within 30 days. (*Id.*)

On June 5, 2024, Deputy Attorney General Molly Christ, specially appearing on behalf of Defendant Howard, filed a Request for Extension of Time to File Waiver of Service of Process and Responsive Pleading. (Doc. 20.) Counsel declares an extension of time is necessary to determine whether the Attorney General’s Office (AGO) can represent Howard, making it inappropriate to file a waiver of service on his behalf at this time. (*Id.* at 3, ¶ 4.) Counsel states she believes a 30-day extension of time will allow for a determination of whether the AGO will undertake Howard’s representation. (*Id.*) Further, counsel requests an extension to and including

1 August 4, 2024, within which to respond to Plaintiff's complaint. (*Id.* at 3, ¶ 6.) Such an
2 extension would allow counsel to complete her review of the file, receive and review CDCR
3 documents, determine a course of action, and prepare and file a responsive pleading. (*Id.*)
4 Counsel declares extending these deadlines will not prejudice Plaintiff or significantly impact
5 progress in this action. (*Id.* at 3, ¶ 7.)

6 Good cause appearing, **IT IS HEREBY ORDERED** that:

- 7 1. The request for an extension of time within which to file a waiver of service of process
8 is **GRANTED**. A waiver of service **SHALL** be filed **no later than July 5, 2024**;
- 9 2. The request for an extension of time within which to file a responsive pleading is
10 **GRANTED**. Defendant **SHALL** file a responsive pleading **no later than August 4,**
11 **2024**;
- 12 3. No other deadlines are affected by this order.

13 IT IS SO ORDERED.

14 Dated: June 6, 2024

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17 UNITED STATES MAGISTRATE JUDGE

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