

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THOMAS LEROY HAMPTON,

Plaintiff,

v.

KIWANA HILL, ULYSSES BANIGA,
NANCY HIOLMES, TIFFANY
GABBARD, and S. ONYANGO,

Defendants.

Case No. 1:22-cv-00518-HBK (PC)

ORDER GRANTING *NUNC PRO TUNC*
DEFENDANTS' MOTION FOR EXTENSION
OF TIME

Doc. No. 23

On February 24, 2025, Defendants A U. Baniga, T. Gabbard, S. Onyango, N. Holmes, and K. Hill (collectively "Defendants") filed an ex parte motion¹ for an extension of time. (Doc. No. 23, "Motion"). Defendants seek a thirty (30) day extension to the current deadline of March 3, 2025 set forth in the Court's Case Management and Scheduling Order to file an exhaustion-based motion for summary judgment, or up to and including April 2, 2025. (*Id.* at 1).

Fed. R. Civ. P. 6(b) provides for extending deadlines for good cause shown, if the request to extend time is made before the original time, or its extension expires; or, on a motion made after the time has expired, if the party failed to act because of excusable neglect. Additionally, Fed. R. Civ. P. 16(b)(4) permits a court to modify a scheduling order for good cause shown and with the judge's consent. The Court finds good cause to grant the Motion.

¹ The Court construes the motion as an administrative motion brought under Local Rule 233(a).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ACCORDINGLY, it is ORDERED:

1. Defendants’ Motion (Doc. No. 23) is GRANTED *nunc pro tunc*, to the extent set forth herein.
2. The deadline to file an exhaustion-based motion for summary judgment is extended to April 2, 2025.
3. All other deadlines set forth in the Case Management and Scheduling Order issued on December 3, 2024 (Doc. No. 22) remain the same.

Dated: March 5, 2025


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE