

1 Currently before the Court is Plaintiff's motion for extension of time, filed December 18,
2 2023. (ECF No. 17.) Plaintiff requests more time to pull a copy of the grievance. Plaintiff states
3 that he did exhaust all remedies before starting the civil action. (*Id.*)

4 Having considered Plaintiff's motion, the Court finds it appropriate to vacate the pending
5 findings and recommendations. Plaintiff's motion for an extension of time to respond to the
6 Court's order to show cause is granted. As Plaintiff has not requested a specific length of time,
7 the Court finds that an extension of thirty days is appropriate under the circumstances.

8 Plaintiff is advised that in the future, all filings sent to the Court should **include his**
9 **signature**, as required by Federal Rule of Civil Procedure 11. Plaintiff is also informed that
10 unless he has been transferred from the California Substance Abuse Treatment Facility, he does
11 not need to submit another notice of change of address.

12 Accordingly, IT IS HEREBY ORDERED that:

- 13 1. The findings and recommendations issued on November 27, 2023, (ECF No. 14), are
14 VACATED;
- 15 2. Plaintiff's motion for extension of time, (ECF No. 17), is GRANTED;
- 16 3. Within **thirty (30) days** from the date of service of this order, Plaintiff SHALL show
17 cause why this action should not be dismissed, without prejudice, for failure to exhaust
18 prior to filing suit, in compliance with the Court's August 29, 2023 order to show cause,
19 (ECF No. 13); and
- 20 4. **Plaintiff is warned that the failure to comply with this order will result in dismissal**
21 **of this action, without prejudice, for failure to prosecute and failure to obey a court**
22 **order.**

23
24 IT IS SO ORDERED.

25 Dated: December 19, 2023

26 /s/ Barbara A. McAuliffe
27 UNITED STATES MAGISTRATE JUDGE
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