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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL LENOIR SMITH,

Plaintiff,

No. CIV S-05-1257 GEB KJM P

vs.

STATE OF CALIFORNIA, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se with an action for violation of civil rights under 42 U.S.C. § 1983. Defendant Runnels’s motion for summary judgment was filed on June 28, 2010. Plaintiff asserts he has not been able to respond to the motion because he is being denied access to his case files and research materials.

Good cause appearing, IT IS HEREBY ORDERED that counsel for defendant Runnels file a response to plaintiff’s September 13, 2010 request for an extension of time

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1 within fourteen days. Specifically, counsel shall indicate whether plaintiff is being denied access
2 to his case file and research materials and, if so, why.

3 DATED: September 29, 2010.

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5 _____
6 U.S. MAGISTRATE JUDGE

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