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

STANLEY SIMS,

Plaintiff,

No. CIV S-07-0898 MCE EFB P

vs.

VEAL, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On December 10, 2010, defendants filed a motion for summary judgment. Dckt. No. 90. On December 29, 2010, plaintiff requested an extension of time to file his opposition to the summary judgment motion. Dckt. No. 91. The court granted the extension, giving plaintiff until January 29, 2010 to file his opposition. Dckt. No. 95. Apparently, the difficulties plaintiff faced that necessitated the extension of time were resolved quickly, as plaintiff filed his substantive opposition to the summary judgment motion on December 30, 2010, one day after requesting the extension. Dckt. Nos. 92, 93, 94. Defendants now ask the court to clarify when their reply brief is due, expressing concern that plaintiff may file additional opposition papers within the period provided in the court’s order granting the extension of time.

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1 Under Federal Rule of Civil Procedure 56(c)(1)(C), defendants' reply brief is due 14 days
2 from service of plaintiff's opposition. As plaintiff filed his opposition on December 30, 2010,
3 the 14-day window runs from that date. In granting plaintiff's request for an extension of time,
4 the court did not grant plaintiff leave to file more than one opposition to the motion or to
5 continuously file his opposition papers until January 29, 2010. Plaintiff has filed his opposition.
6 Should plaintiff file additional opposition papers without obtaining the court's permission,
7 defendants may seek appropriate relief from the court.

8 Dated: January 11, 2011.

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10 EDMUND F. BRENNAN
11 UNITED STATES MAGISTRATE JUDGE
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