

MORENO & RIVERA, LLP  
 1451 River Park Drive, Suite 145  
 Sacramento, California 95815  
 Tel: 916-922-1200 Fax: 916 922-1301

Jesse M. Rivera, CSN 84259  
 Jonathan B. Paul, CSN 215884  
 Shanan L. Hewitt, CSN 200168  
 Attorneys for Defendant  
 Jeffery Burkard

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

DELBERT STICKLER,

Plaintiff,

vs.

BURKARD,

Defendant.

CASE NO. 2:08-cv-00701 JMS

**ORDER ON DEFENDANT BURKARD'S  
 EX PARTE APPLICATION FOR AN  
 ENLARGEMENT OF TIME TO FILE A  
 DISPOSITIVE MOTION ON THE BASIS  
 OF FAILURE TO EXHAUST PRISON  
 ADMINISTRATIVE REMEDIES**

This case came on for hearing on the ex parte application for an order granting defendant Jeffery Burkard an enlargement of time of 14 days until April 26, 2010 within which to file a dispositive motion in this matter on the basis of failure to exhaust administrative remedies. Good cause having been shown.

**IT IS HEREBY ORDERED THAT:**

1. The defendant has until April 26, 2010 within which to file his dispositive motion on the basis that Plaintiff failed to exhaust his administrative remedies prior to filing suit.

Dated: Honolulu, Hawaii, April 13, 2010.



/s/ J. Michael Seabright  
 J. Michael Seabright  
 United States District Judge