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

MARIO NAVARRO,

Plaintiff,

No. 2:09-cv-1878 KJM KJN P

vs.

DEBRA HERNDON, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff requests a thirty-day extension of time to serve responses to each of the eight defendants' separate interrogatories and production requests. Plaintiff states that he continues to await the compilation and delivery of his full CDCR file, which he requires to respond fully to defendants' discovery requests. The court has previously granted defendants' requests for extended time to respond to discovery, and the discovery deadline has been extended to November 1, 2013. Therefore, plaintiff's request for an extension of time will be granted.

In addition, plaintiff again requests appointment of counsel. Plaintiff's previous requests were filed on July 9, 2009, November 29, 2010, and January 22, 2013. All requests were denied. In light of the reasoning set forth in the court's prior orders (see ECF Nos. 21, 42, 86), as well as the pendency of defendants' recently-filed motion to dismiss (ECF No. 107), which is premised on plaintiff's alleged failure to exhaust his administrative remedies (an

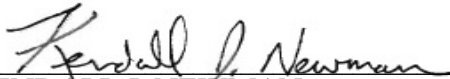
1 objective matter that does require the assistance of counsel), plaintiff's pending requests for  
2 appointment of counsel will be denied without prejudice.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Plaintiff's request for an extension of time (ECF No. 106), is granted; plaintiff  
5 shall serve his subject discovery responses within thirty (30) days after service of this order.

6 2. Plaintiff's requests for appointment of counsel (ECF Nos. 96 and 100), are  
7 denied without prejudice.

8 DATED: August 7, 2013

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11 KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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