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

EDWARD ANTONIO BATISTE,

Plaintiff,

No. CIV S-09-2053 GGH P

vs.

B. VELASQUEZ, et al.,

Defendants.

ORDER

_____ /

Defendants Cox and Higgens filed a motion to dismiss on December 7, 2009; defendant Velasquez filed a motion to dismiss on December 17, 2009.¹ Plaintiff filed a request, on December 22, 2009, for an extension of time until January 31, 2009, to file his opposition to the initial motion. Plaintiff, who again states that he uses a wheelchair and is legally blind, emphasizes that he is being released from prison and has “lots to do.”² Plaintiff will be permitted additional time to respond to the pending motions, but there will be no further extension beyond that.

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¹ An amended proof of service of the latter motion was filed on December 29, 2009.

² The court takes judicial notice of plaintiff’s having managed to file another complaint, CIV-S-09-3511 GGH P, during this period. (Judicial notice may be taken of court records. Valerio v. Boise Cascade Corp., 80 F.R.D. 626, 635 n.1 (N.D. Cal. 1978), aff’d, 645 F.2d 699 (9th Cir.), cert. denied, 454 U.S. 1126 (1981)).

