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

CHRISTOPHER SCOTT RIDER,

Plaintiff,

No. CIV S-09-2675 FCD DAD P

vs.

M.R. GOLDY, et al.,

Defendants.

ORDER

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On March 10, 2011, the court issued an order to show cause requiring plaintiff to file an opposition to defendants' motion to dismiss within thirty days. In response to the court's order, plaintiff has requested an extension of time. Good cause appearing, the court will discharge its order to show cause and grant plaintiff's request.

Plaintiff has also filed a motion asking the court to serve a copy of his motion for an extension of time on defense counsel. Plaintiff is advised that every document submitted to the court for consideration must be served on defendants. Fed. R. Civ. P. 5. Documents not to be served electronically are usually served by placing a copy in the U.S. mail. If an attorney has filed a document with the court on behalf of any defendant, then documents submitted by plaintiff must be served on that attorney and not on the defendant. Every document submitted conventionally to the court (e.g., by a prisoner proceeding pro se) must include a certificate

1 stating the date an accurate copy of the document was mailed to defendants or their attorney and  
2 the address to which it was mailed. See Local Rule 135(b) and (c). In the interest of justice, the  
3 court will grant plaintiff's motion on this one occasion only. However, plaintiff is cautioned that  
4 failure to properly serve any documents subsequently filed in this action, and failure to include a  
5 proper certificate of service with such filing, may result in a recommendation that this action be  
6 dismissed.

7 In accordance with the above, IT IS HEREBY ORDERED that:

- 8 1. The court's March 10, 2011 order to show cause is discharged;
- 9 2. Plaintiff's motion for an extension of time (Doc. No. 30) is granted;
- 10 3. Plaintiff is granted thirty days from the date of service this order in which to  
11 file a response to the February 11, 2011 motion to dismiss. Any reply shall be filed and served  
12 in accordance with Local Rule 230(1);
- 13 4. Plaintiff's motion asking the court to serve a copy of his motion for an  
14 extension of time on defense counsel (Doc. No. 31) is granted; and
- 15 5. The Clerk of the Court shall serve a copy of this order and a copy of plaintiff's  
16 motions (Doc. Nos. 30 & 31) on defense counsel Coleman.

17 DATED: April 1, 2011.

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21 DALE A. DROZD  
22 UNITED STATES MAGISTRATE JUDGE

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