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

MICHAEL BAKER,

Plaintiff,

No. 2: 09-cv-2757 MCE KJN P

vs.

PEREZ, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff’s September 2, 2011 motion to stay defendants’ summary judgment motion or, in the alternative, for an extension of time to file an opposition. Defendants filed their summary judgment motion on August 10, 2011.

In the pending motion, plaintiff presents several grounds in support of his request. First, plaintiff alleges that his motion to compel, to which defendants filed their opposition on June 20, 2011, is still pending. On August 24, 2011, the undersigned granted in part and denied in part this motion to compel. On September 7, 2011, defendants filed supplemental responses to several discovery requests, in accordance with the August 24, 2011 order. Therefore, plaintiff’s motion to compel is no longer pending.

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1 Plaintiff next alleges that due to inadequate law library access, he has not had an
2 adequate opportunity to conduct discovery. The record reflects that plaintiff has conducted
3 extensive discovery. The twenty-seven page August 24, 2011 order addressing plaintiff's motion
4 to compel addressed 53 requests for admissions, nine requests for production of documents and
5 twenty-four interrogatories. Clearly, plaintiff has conducted extensive discovery. Plaintiff's
6 request to conduct additional discovery is not well-supported.

7 Plaintiff next alleges that he requires additional time to obtain certified documents
8 in support of his opposition to defendants' summary judgment motion. Plaintiff alleges that
9 prison officials have refused to certify documents from his medical records.

10 Plaintiff may submit documents from his medical records in his opposition to
11 defendants' summary judgment motion. If defendants object to these documents on grounds that
12 they are not certified, the court will consider the issue of certification at that time.

13 Plaintiff next alleges that he requires additional time to contact three inmate
14 witnesses. Plaintiff has had adequate time and opportunity to contact inmate witnesses.

15 For the reasons discussed above, the undersigned finds that plaintiff has not
16 presented adequate grounds to stay defendants' summary judgment motion or to grant plaintiff a
17 lengthy extension of time to file an opposition.

18 Accordingly, IT IS HEREBY ORDERED that:

- 19 1. Plaintiff's motion to stay and for extension of time (Dkt. No. 74) is denied;
20 2. Plaintiff's opposition to defendants' summary judgment motion is due within
21 twenty-eight days of the date of this order.

22 DATED: September 8, 2011

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25 KENDALL J. NEWMAN
26 UNITED STATES MAGISTRATE JUDGE