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

RICHARD MANUEL BURGOS,  
Plaintiff,

No. CIV S-09-3276-MCE-CMK-P

vs.

ORDER

MATTHEW L. CATE, et al.,  
Defendants.

\_\_\_\_\_ /

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is defendants’ request for supplemental briefing on the pending motion to dismiss (Doc. 42).

Defendants filed the pending motion to dismiss without providing the contemporaneous notice now required by the Ninth Circuit pursuant to Woods v. Carey, 2012 WL 2626912 (th Cir. July 6, 2012). Accordingly, the defendants request the court allow time for additional briefing on the motion to dismiss now that the proper notice has been provided. Good cause appearing, this request is granted.

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1 Plaintiff may file a supplemental opposition to the motion to dismiss within 30  
2 days from the date of this order. Defendants may file a supplemental reply within 15 days after  
3 any opposition by plaintiff is filed with the court.

4 IT IS SO ORDERED.

5  
6 DATED: August 7, 2012

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8 **CRAIG M. KELLISON**  
9 UNITED STATES MAGISTRATE JUDGE