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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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12 ANTHONY R. TURNER
13 Plaintiff,
14 v.
15 WARDEN SALINAS, et al
16 Defendants.

CASE NO.: 2:10-cv-01848 MCE KJN P
**STIPULATED REQUEST FOR EXTENSION
TO FILE DISPOSITIONAL DOCUMENTS;
ORDER**

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19 Plaintiff Anthony R. Turner and defendant Officer Robert Colon hereby stipulate to a request for
20 an extension to file dispositional documents. This is the fourth request for an extension. Previous
21 requests have been granted due to delays in communicating with Plaintiff, who is incarcerated. This
22 request is necessary because communications regarding the settlement were further delayed because
23 Plaintiff was transferred from Corcoran State Prison to Salinas Valley State Prison. The parties are on
24 track for finalizing the settlement. However, to avoid filing further requests, the parties hereby seek an
25 extension of 60 days to file dispositional documents. Should this request be granted, the new deadline
26 would be September 5, 2014.

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Dated: July 3, 2014

Respectfully submitted,

OLSON HAGEL & FISHBURN LLP

By: /s/ Matthew R. Cody
MATTHEW R. CODY, CSB 267191
Attorneys for Plaintiff

WILLIAMS & ASSOCIATES

By: /s/ Matthew Ross Wilson (signed by permission)
MATTHEW ROSS WILSON, CSB 236309
Attorneys for Defendant COLON

ORDER

Plaintiff Anthony Turner is a state prisoner, proceeding through counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. This action was set for jury trial on February 24, 2014. However, upon receipt of a Notice of Settlement from Defendant, ECF No. 156, the Court vacated the trial. ECF No. 157. In accordance with the provisions of Local Rule 160, the Court ordered that dispositional documents be filed on or before 4/7/2014. Id. The Court explained that failure to comply with the deadline may be grounds for the imposition of sanctions on any and all counsel as well as any party or parties who cause non-compliance. Id. However, as set forth in Local Rule 160(b), the Court may, on good cause shown, extend the time for filing the dispositional papers. The parties have requested and received multiple extensions of the deadline for filing the dispositional papers. See ECF Nos. 158, 161, 170.

On July 3, 2014, the parties submitted a fourth request to extend the deadline by which they must file the dispositional documents in this case. ECF No. 172. The parties' joint stipulation requests that

1 the deadline be extended by sixty (60) days to September 5, 2014. Id. The stipulation states that the
2 parties' instant request, unlike earlier requests,¹ "is necessary because communications regarding the
3 settlement were further delayed because Plaintiff was transferred from Corcoran State Prison to Salinas
4 Valley State Prison" and that "[t]he parties are on track for finalizing the settlement." Id.

5 Pursuant to the parties' joint stipulation and good cause appearing, the parties' request, ECF
6 No. 172, is GRANTED. The deadline to file dispositional documents in this case is EXTENDED by
7 sixty (60) days. The new deadline to file dispositional documents IS September 5, 2014. Failure to
8 comply with the 9/5/14 deadline may be grounds for sanctions. E.D. Cal. Local R. 160(b). However,
9 the Court may, on good cause shown, extend the time for filing the dispositional papers. Id.

10 IT IS SO ORDERED.

11 Dated: July 11, 2014

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14 MORRISON C. ENGLAND, JR., CHIEF JUDGE
15 UNITED STATES DISTRICT COURT
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27 ¹ Two of the prior requests were necessary because of "delays in communicating with Plaintiff, who is incarcerated."
28 ECF No. 172; see ECF Nos. 158, 170. Another requests was made ex parte by Plaintiff "because the defendants, Officer
Robert Colon and the California Department of Corrections and Rehabilitation ("CDCR"), . . . delayed resolving this matter."
ECF No. 161; see ECF No. 170 (noting that the request "was made due to a disagreement over the settlement terms").