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

ALVARO HERNANDEZ,

Plaintiff,

No. 2:10-cv-2446 LKK CKD P

vs.

K. BOUWMAN, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

On May, 2, 2012, defendant McDaniels filed a motion asking that this matter be dismissed because plaintiff has not served responses to requests for discovery as he was ordered to do in this court’s April 3, 2012 order. In his opposition, plaintiff asserts he filed the responses with the court rather than serving them on counsel for defendant McDaniels. Good cause appearing, plaintiff will be given an additional 21 days to serve his responses on counsel for defendant McDaniels and defendant McDaniels’ motion to dismiss will be denied. The court notes, however, that this is not the first time plaintiff has misunderstood or misinterpreted court orders or rules. See April 3, 2012 Order. In the future, plaintiff must take better care to comply with court orders and rules or the court may issue sanctions.

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Accordingly, IT IS HEREBY ORDERED that:

1. Defendant McDaniels' May 2, 2012 motion to dismiss is denied.
2. Plaintiff is granted 21 days to serve his responses to defendant McDaniels' outstanding requests for discovery.

Dated: May 29, 2012

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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