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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALFREDO GOMEZ,  
Plaintiff,  
v.  
MIKE McDONALD et al.,  
Defendants.

No. 2:11-cv-0649 KJM DAD P

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983.

On March 21, 2014, defendants filed a motion for summary judgment. (Doc. No. 55) Thereafter, on April 2, 2014, the court granted plaintiff's motion to modify the court's discovery and scheduling order and granted him additional time to complete discovery and file a motion to compel. (Doc. No. 58) The court also relieved plaintiff of having to file an opposition to defendants' motion for summary judgment until after the court had ruled on plaintiff's motion to compel. (Id.) On May 2, 2014, plaintiff filed his motion to compel, and after the court granted several extensions of time, defendants filed an opposition to that motion. Plaintiff also filed a reply in support of his motion to compel. (Doc. Nos. 59-62 & 64-69) On January 29, 2015, the undersigned granted in part and denied in part plaintiff's motion to compel and also ordered him to file an opposition to defendants' motion for summary judgment. (Doc. No. 74) Plaintiff has

1 filed his opposition and a cross-motion for summary judgment. (Doc. No. 74)

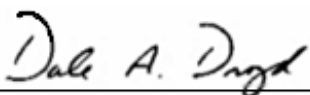
2 On March 2, 2015, defendants filed a motion seeking a sixty-day extension of time to file  
3 a reply in support of their motion for summary judgment and an opposition to plaintiff's cross-  
4 motion for summary judgment. Good cause appearing, the court will grant defendants' request.  
5 In addition, however, due to considerations of judicial economy and the extended time required  
6 for briefing by the parties, the court at this time will deny defendants' March 21, 2014 motion for  
7 summary judgment without prejudice to its renewal by defendants at the time they file their reply  
8 in support of their own motion for summary judgment and their opposition to plaintiff's cross-  
9 motion for summary judgment. In order to renew their motion for summary judgment as that  
10 time, defendants need only file a notice of renewal of their motion for summary judgment.  
11 Defendants do not need to refile any of the documents filed with the March 21, 2014 motion for  
12 summary judgment. If defendants file a notice of renewal, the parties' cross-motions for  
13 summary judgment will be deemed submitted for findings and recommendations after plaintiff  
14 files a reply brief in support of his cross-motion for summary judgment or upon expiration of the  
15 time to do so.

16 Accordingly, IT IS HEREBY ORDERED that:

- 17 1. Defendants' motion for a sixty-day extension of time (Doc. No. 80) is granted;
- 18 2. Defendants shall file any reply in support of their motion for summary judgment and  
19 an opposition to plaintiff's cross-motion for summary judgment on or before May 1, 2015; and
- 20 3. Defendants' March 21, 2014 motion for summary judgment (Doc. No. 55) is denied  
21 without prejudice to its renewal, as appropriate, by defendants with any reply and their opposition  
22 to plaintiff's cross-motion for summary judgment.

23 Dated: March 5, 2015

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27 DALE A. DROZD  
28 UNITED STATES MAGISTRATE JUDGE