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

BRANKO MAJSTORIC,

Plaintiff,

No. 2:11-cv-2006 KJN P

vs.

DEPUTY HOMEN,

Defendant.

ORDER

_____ /

Plaintiff is a prisoner proceeding without counsel. On April 23, 2012, plaintiff filed two motions: a motion to oppose dismissal for failure to exhaust, and a motion to oppose summary judgment. (Dkt. Nos. 23, 24.) However, defendant has not filed a motion to dismiss for failure to exhaust, or a motion for summary judgment. It appears plaintiff may be attempting to pro-actively oppose the filing of any such motion because he asks the court to oppose “any” motions for summary judgment or to dismiss for failure to exhaust. Plaintiff is advised that he must wait to file an opposition until the defendant files such a motion. Therefore, plaintiff’s motions “to oppose” are denied as premature.

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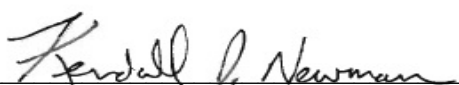
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Accordingly, IT IS HEREBY ORDERED that plaintiff's April 23, 2012 motions are denied. (Dkt. Nos. 23, 24.)

DATED: May 10, 2012


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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