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

ROGER GIFFORD,

No. CIV S-11-2484-KJM-CMK

Plaintiff,

vs.

ORDER

SISKIYOU COUNTY SHERIFF, et al.,

Defendants.

_____ /

Plaintiff, proceeding pro se and in forma pauperis, brings this civil action.

Pending before the court is plaintiff's motion for an extension of time (Doc. 52) to file an opposition to the pending motions to dismiss. An opposition to the motion was filed by some of the defendants.

There are currently two motions to dismiss pending before the court. The County defendants filed a motion to dismiss on August 15, 2012, prior to this case being stayed. They were provided an opportunity to file an amended motion, but have chosen not to do so. No opposition to the original motion to dismiss was filed, and the time for doing so has long since past. The County defendants oppose any extension of time to file an opposition at this late date, and because plaintiff failed to comply with Local Rule 144 in attempting to obtain a stipulation prior to filing a motion.

1 The second motion to dismiss, filed by the State defendants, is currently set for
2 hearing on August 19, 2015. No opposition from the defendants have been filed as to extending
3 the hearing on this motion. Plaintiff indicates he needs additional time to respond to the pending
4 motion set for hearing on August 19, 2015, as he was recently informed that the opposition is
5 required to be filed prior to the hearing.

6 The County defendants are correct, pro se fillers are required to know and follow
7 the Federal Rules of Civil Procedure and the Local Rules. However, as this is plaintiff's first
8 request for additional time, and there is no opposition from the State defendants, the undersigned
9 finds no reason to deny the motion as to the State defendants' motion currently set for hearing on
10 August 19, 2015. As to the County defendants' motion, the time for opposing that motion has
11 long since past. Plaintiff is cautioned that he is required to know and follow the appropriate
12 rules.

13 Accordingly, IT IS HEREBY ORDERED that:

14 1. Plaintiff's motion for an extension of time (Doc. 52) is granted as to the
15 pending motion to dismiss set for hearing on August 19, 2015;

16 2. The pending motion to dismiss set for hearing on August 19, 2015, is reset
17 for September 9, 2015, at 10:00 a.m;

18 3. Any opposition is to be filed pursuant to Local Rule 230;

19 4. To the extent plaintiff is also requesting additional time to file an
20 opposition to the motion to dismiss previously submitted, that request is late and is denied as
21 untimely.

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23 DATED: August 12, 2015

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25 **CRAIG M. KELLISON**
26 UNITED STATES MAGISTRATE JUDGE