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

10 RICKIE L. CHIPMAN,

11 Plaintiff,

No. CIV S-11-2770 GEB EFB PS

12 vs.

13 MARCIA F. NELSON, et al.,

14 Defendants.

ORDER

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16 This case, in which plaintiff is proceeding pro se, is before the undersigned pursuant to
17 Eastern District of California Local Rule 302(c)(21). *See* 28 U.S.C. § 636(b)(1). Currently set
18 for hearing on May 16 and May 23, 2012 are numerous motions to dismiss and/or strike
19 plaintiff's first amended complaint. Dckt. Nos. 76-80, 83, 85, 87, 94-96; *see also* Dckt. Nos. 81,
20 82, 84, 86, 88-93. However, on April 26, 2012, plaintiff filed a request to continue those hearing
21 dates to June 13 and June 20, 2012. Dckt. No. 97. Plaintiff contends that she needs additional
22 time to prepare her oppositions to the numerous motions and that she would not be able to attend
23 oral argument during the month of May because of her work obligations in Washington state. *Id.*
24 In light of plaintiff's representations, her motion for a continuance will be granted, and the
25 hearings and briefing schedules on the pending motions will be continued.

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1 Additionally, plaintiff requests permission to file electronically in this action. Dckt. No.
2 97. The Local Rules provide that “[a]ny person appearing pro se may not utilize electronic filing
3 except with the permission of the assigned Judge or Magistrate Judge.” E.D. Cal. L.R.
4 133(b)(2). “Requests to use paper or electronic filing as exceptions from these Rules shall be
5 submitted as stipulations as provided in L.R. 143 or, if a stipulation cannot be had, as written
6 motions setting out an explanation of reasons for the exception. Points and authorities are not
7 required, and no argument or hearing will normally be held.” E.D. Cal. L.R. 133(b)(3).

8 Although plaintiff’s request for leave to file electronically does not indicate whether a
9 stipulation could be had and does not provide specific reasons for the exception, as provided in
10 Local Rule 133(b)(3), in light of plaintiff’s residence in the state of Washington, as well as the
11 numerous pending motions that plaintiff must respond to, the court will permit plaintiff to utilize
12 the court’s electronic filing and case management system (“CM/ECF”). However, plaintiff is
13 admonished that all of her filings must comply with the Federal Rules of Civil Procedure and
14 this court’s Local Rules, and that any abuse of the CM/ECF system will result in a revocation of
15 plaintiff’s right to file electronically. The Clerk of Court will contact plaintiff in order to
16 facilitate her participation in the CM/ECF system.

17 Accordingly, IT IS HEREBY ORDERED that:

18 1. Plaintiff’s motion for a continuance, Dckt. No. 97, is granted.

19 2. The hearings on all pending motions to dismiss and/or strike, Dckt. Nos. 76, 77, 78,
20 79, 80, 83, 85, 87, 94, 95, and 96, are continued to June 20, 2012 at 10:00 a.m. in Courtroom No.
21 24.

22 3. Plaintiff shall file an opposition to each pending motion, or a statement of
23 non-opposition thereto, no later than June 6, 2012.

24 4. Failure of plaintiff to file an opposition to any pending motion will be deemed a
25 statement of non-opposition to that motion, and may result in a recommendation that the motion

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1 be granted and/or that this action be dismissed for lack of prosecution and for failure to comply
2 with court orders and this court's Local Rules. *See* Fed. R. Civ. P. 41(b).

3 5. On or before June 13, 2012, each moving defendant may file a reply to plaintiff's
4 opposition to that defendant's motion.

5 6. The status (pretrial scheduling) conference currently set for July 18, 2012 is continued
6 to September 12, 2012 at 10:00 a.m. in Courtroom No. 24.

7 7. On or before August 29, 2012, the parties shall file status reports, as provided in the
8 October 20, 2011 order.

9 8. Plaintiff's request for leave to file electronically in this action, Dckt. No. 97, is
10 granted.

11 9. The Clerk of Court shall contact plaintiff in order to facilitate plaintiff's participation
12 in the CM/ECF system.

13 SO ORDERED.

14 DATED: April 30, 2012.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE