

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEITH DUANE ARLINE, JR.,
Plaintiff,
v.
R. GOWER, et al.,
Defendants.

No. 2:11-cv-3414 WBS KJN P

ORDER

On January 10, 2014, plaintiff filed a motion seeking an “order shortening time.” (ECF No. 59.) Plaintiff states that the court granted plaintiff sixty days from the December 3, 2013 order in which to file an opposition to defendants’ motion for summary judgment. However, plaintiff filed his opposition on December 18, 2013. Plaintiff states that because his opposition was filed before the January 31, 2014 deadline provided in the court’s December 3, 2013 order, plaintiff seeks an order shortening time.

However, Local Rule 230(l) provides that the reply to a motion is due seven days after the filing of the opposition. Thus, here, the filing of the reply is tied to the filing of the opposition, not to the revised January 31, 2014 deadline. Moreover, on January 3, 2014, defendants were granted until January 6, 2014, in which to file their reply, which defendants filed on January 6, 2014. Thus, plaintiff’s January 10, 2014 motion is moot, and is denied.

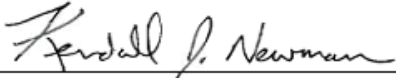
///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS HEREBY ORDERED that plaintiff's January 10, 2014 motion (ECF No. 59) is denied.

Dated: January 14, 2014

/arli3414.den


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE