UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

EDDIE L. PITTS,

Plaintiff,

v.

C. DAVIS, et al.,

Defendants.

No. 2:12-cv-0823 TLN AC P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983.

On July 23, 2015,[1] plaintiff filed a request for extension of time to file his response to defendants' motion for summary judgment (ECF No. 152) and a motion to withdraw his objections to the motion to dismiss and previous motion for extension (ECF No. 153). The motions were not entered on the docket until after the court issued an order construing the objections as a motion to extend plaintiff's time to respond until after resolution of the pending motion to compel. ECF No. 151. In granting the motion, the court vacated plaintiff's deadline to respond to defendants' motion for summary judgment and advised it would not be re-set until

///

[1] Since plaintiff is proceeding pro se, he is afforded the benefit of the prison mailbox rule. See Houston v. Lack, 487 U.S. 266, 276 (1988).

after the motion to compel had been resolved. Id. The court's July, 27, 2015 order therefore renders plaintiff's motions moot and they will be denied as such.

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for extension of time (ECF No. 152) and motion to withdraw his previous motions and objections (ECF No. 153) are denied as moot.

DATED: August 4, 2015

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE