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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NAM BA NGUYEN,

Plaintiff,

v.

CALIFORNIA PRISON HEALTH
SERVICE, et al.,

Defendants.

No. 2:13-cv-963-MCE-EFB P

ORDER

Plaintiff, who is housed at Theo Lacy Facility, has filed a “request to postpone the case for 90 days,” which was docketed as a motion on July 11, 2017. ECF No. 76 at 1. Therein, he asserts that he is handling a “difficult [i]mmigration matter” and lacks “direct access to [a] law library” in his facility. *Id.* Further, he asserts that, whenever he requests copies of cited cases, it takes him at least three weeks to receive the material. *Id.* For these reasons, he contends that he would not have time to respond to any potential action the court might take on the case.

The court recently took action on his case. On July 28, 2017, the court recommended that defendants’ motion for summary judgment be granted. ECF No. 78. The findings and recommendations stated that plaintiff could file objections within fourteen days. *Id.* at 20. Plaintiff requested a 30-day extension of time to file objections to the findings and recommendations, which the court granted. ECF Nos. 79, 80. In light of these developments, plaintiff’s motion to postpone the case now appears to be moot.

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For the foregoing reasons, IT IS HEREBY ORDERED that plaintiff's motion to postpone (ECF No. 76) is denied as moot.

Dated: September 18, 2017.



EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE