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

ROBERT ALAN GIBBS,

No. 2:13-CV-2631-KJM-CMK

Plaintiff,

vs.

ORDER

BOYD, et al.,

Defendants.

_____ /

Plaintiff, who is proceeding pro se, brings this civil rights action. Pending before the court is plaintiff's motion (Doc. 50).

In his motion, plaintiff seeks leave to join additional defendants to this action. He also seeks a "continuance on all matters pending in the court to beyond November 20th, 2016, as I am currently in the Shasta Co. Jail."

Plaintiff's request to join additional defendants is construed as a motion for leave to amend. So construed, the motion is denied because plaintiff has not submitted a proposed amended complaint.

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1 Plaintiff's request for a continuance is denied. Plaintiff has not demonstrated why
2 he is unable to prosecute this litigation from the Shasta County Jail. Moreover, as to the motion
3 for summary judgment brought by defendants Edwards and Jackson, plaintiff has not explained
4 why he failed to initially respond to the motion, which was originally filed in August 2015. Nor
5 has plaintiff explained why he did not seek an extension of time as to that motion before now.
6 As to the motion for summary judgment filed by defendants Boyd and Little in December 2015,
7 plaintiff's current motion is construed as a motion for an extension of time to respond to the
8 motion. Given plaintiff's recent incarceration, and good cause appearing therefor, plaintiff will
9 be granted additional time to respond to the motion filed by defendants Boyd and Little.

10 Accordingly, IT IS HEREBY ORDERED that:

11 1. To the extent plaintiff seeks leave to amend, plaintiff's motion (Doc. 50) is
12 denied;

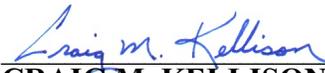
13 2. To the extent plaintiff seeks a continuance of all deadlines until after
14 November 20, 2016, plaintiff's motion (Doc. 50) is denied;

15 3. To the extent plaintiff seeks an extension of time to respond to the motion
16 for summary judgment filed by defendants Boyd and Little, plaintiff's motion (Doc. 50) is
17 granted;

18 4. Plaintiff may file an opposition to the motion for summary judgment filed
19 by defendants Boyd and Little within 30 days of the date of this order; and

20 5. Defendants Boyd and Little may file a reply brief within 15 days after the
21 date of service of plaintiff's opposition, if any is filed.

22
23 DATED: March 2, 2016

24 
25 **CRAIG M. KELLISON**
26 UNITED STATES MAGISTRATE JUDGE