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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DOYLE DEAN HARTLINE,  
Plaintiff,  
v.  
NATIONAL UNIVERSITY,  
Defendant.

No. 2:14-cv-00635 KJM AC P

ORDER

On March 7, 2014, plaintiff initiated this action and is proceeding in pro per. ECF No. 1. On April 16, 2014, the court granted plaintiff’s request to proceed in forma pauperis. ECF No. 3. Also on April 16, 2014, the court set an initial scheduling conference for September 24, 2014. ECF No. 5.

On August 4, 2014, defendant filed a motion to dismiss and a hearing on the matter was ultimately scheduled before the undersigned on September 24, 2014. ECF Nos. 7, 9.

On August 19, 2014, plaintiff filed a document styled as a motion for 120-day extension of time. ECF No. 11. Plaintiff requests an extension of time “based on the need for medical treatment, physical therapy and further medical testing.” Id. at 1. Plaintiff states he is “physically incapable of functioning to the best of his ability as a disabled person and is in need of said medical treatment.” Id. Plaintiff also states during the extension he will “attempt to find an attorney.” Id.

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1 In light of plaintiff's claimed medical needs, the court will grant a 60-day extension of  
2 time for plaintiff to respond to defendant's motion to dismiss. Plaintiff is cautioned he must  
3 timely file a response to defendant's motion and failure to do so may result in an order to show  
4 cause. Further, during the rescheduled hearing on defendant's motion to dismiss, plaintiff should  
5 be prepared to discuss his particular medical needs with regard to scheduling further deadlines.

6 Good cause appearing, IT IS HEREBY ORDERED that:

7 1. Plaintiff's motion for extension of time, ECF No. 11, is granted in part and plaintiff is  
8 granted sixty days to respond to defendant's motion to dismiss;

9 2. The September 24, 2014 hearing on defendant's motion to dismiss is vacated and  
10 rescheduled to December 3, 2014;

11 3. Plaintiff's opposition to defendant's motion to dismiss is due by November 19, 2014,  
12 see Local Rule 230(c);

13 4. Defendant's reply, if any, is due by November 26, 2014; and

14 5. The September 24, 2014 initial scheduling conference is vacated and rescheduled to  
15 January 7, 2015.

16 DATED: September 16, 2014

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18 ALLISON CLAIRE  
19 UNITED STATES MAGISTRATE JUDGE  
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