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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL WEBSTER WRIGHT,  
Plaintiff,  
v.  
D. FIELDS, et al.,  
Defendants.

No. 2:15-cv-2291-KJM-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. Defendants moved for summary judgment on May 19, 2016. ECF No. 20. On June 20, 2016, the court reminded plaintiff of his obligation to file an opposition to the motion and granted him an additional 21 days in which to file his response. ECF No. 22. When he failed to timely file an opposition, findings and recommendations were issued on July 27, 2016, recommending that this action be dismissed for failure to prosecute and failure to comply with court orders. ECF No. 24. Since then, plaintiff has filed multiple requests for extensions of time and for appointment of counsel. See ECF Nos. 25, 27, 33, 35. Those extension requests were granted and the court also mailed plaintiff a courtesy copy of defendants' motion. ECF Nos. 28, 34. Plaintiff now requests a further extension of time to file his opposition and once again moves for appointment of counsel. ECF Nos. 37, 38. For the reasons set forth in the court's previous orders, see ECF Nos. 26, 36, plaintiff's request for appointment of counsel is denied. As

1 defendants' motion for summary judgment has been now pending for more than six months  
2 without a response from plaintiff, the court will grant him one final extension of time to file an  
3 opposition. No further extensions of time will be granted. Should plaintiff fail to timely file an  
4 opposition, the July 27, 2016 findings and recommendations will be submitted to the district  
5 judge for consideration.

6 Accordingly, it is hereby ordered that:

- 7 1. Plaintiff's request (ECF Nos. 37, 38 ) is granted and plaintiff has 30 days from the  
8 date this order is served to file his opposition to defendants' motion for summary  
9 judgment; and
- 10 2. Plaintiff's request for appointment of counsel (ECF No. 38) is denied.

11 So ordered.

12 Dated: December 7, 2016.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE