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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

Antonio Ronnell Williams,  
  
Plaintiff,  
  
v.  
  
Hutson, et al.,  
  
Defendant.

No. 2:16-cv-01495-KJM-AC  
  
ORDER

On June 11, 2021, the Ninth Circuit remanded this case to this court “for the limited purpose of allowing [this court] to make factual findings whether appellant delivered the notice of appeal to prison officials for mailing to the court in compliance with the requirements of Federal Rule of Appellate Procedure 4(c) within 14 days after receiving notice of the entry of judgment.” Order at 2, ECF No. 92 (citing Fed. R. App. P. 4(c)(1) and *Houston v. Lack*, 487 U.S. 266, 270 (1988)). The Ninth Circuit also requested that if this court determines the notice of appeal would be timely as a motion to reopen the time to appeal under Federal Rule of Appellate Procedure 4(a)(6), this court also rule on the motion to reopen the time to appeal. *See id.* at 2–3. The circuit’s order further permits this court to “call for any additional submissions from the parties” as this court “deems appropriate.” *Id.* at 3.

**Within 21 days of receiving service of this order**, plaintiff may file a further submission in support of his claim that he delivered the notice of appeal to prison officials for mailing to the

1 court in compliance with the requirements of Federal Rule of Appellate Procedure 4(c) within 14  
2 days after receiving notice of the entry of judgment. That further submission may also explain  
3 why, if this court determines the notice of appeal would be timely, the court should grant the  
4 motion to reopen the time to appeal. Defendant may file a response **within 14 days of receiving**  
5 **service of any such further submission.**

6 IT IS SO ORDERED.

7 DATED: June 29, 2021.

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CHIEF UNITED STATES DISTRICT JUDGE