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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WESLEY WILLIAM KESSLER,
Plaintiffs,
v.
SACRAMENTO CITY POLICE
DEPARTMENT, et al,
Defendants.

No. 2:16-cv-01930-GEB-AC

ORDER

The court is in receipt of defendants’ Motion for Terminating Sanctions, currently set for hearing on November 1, 2017. ECF No. 17. Plaintiff appears to be incarcerated. ECF No. 17-2 at ¶5. Due to plaintiff’s incarceration, the court will consider defendant’s motion on the papers; plaintiff should file his response or statement of non-response in writing, and defendant should submit its reply in writing.

The court hereby ORDERS:

1. The November 1, 2017 hearing on defendant’s motion to compel (ECF No. 17) is VACATED; and
2. Plaintiff shall respond to defendant’s motion or file a statement of non-opposition, in writing, by November 1, 2017. Defendants’ reply brief is due November 8, 2017. If

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plaintiff does not file any statement, the court will construe it as plaintiff's non-opposition to defendant's motion.

IT IS SO ORDERED.

DATED: October 13, 2017



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE