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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUIS MANUEL GARCES,
Plaintiff,
v.
J. PICKETT, et al.,
Defendants.

No. 2:17-cv-0319 JAM AC P

ORDER

Plaintiff, a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983, has filed a motion for an extension of time to respond to defendants’ motion for judgment on the pleadings. ECF No. 93. He was previously warned that no further extensions of time would be granted. ECF No. 92.

In the motion, plaintiff asserts that on September 11, 2019, he made three copies of his opposition and submitted them to the law librarian for mailing to the court and defendants’ counsel. ECF No. 93 at 2. He further alleges that his opposition was seized by prison officials after the librarian deposited the envelope for mailing. *Id.* at 8. It is not clear whether plaintiff was notified that his opposition was seized or whether he is assuming that it was because it was not received by the court. In light of the allegations, defendants will be required to respond to the motion.

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Accordingly, IT IS HEREBY ORDERED that within fourteen days of the filing of this order, defendants shall respond to the allegations in plaintiff's motion for an extension of time that his opposition was seized by prison staff (ECF No. 93).

DATED: November 13, 2019



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE