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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KRZYSZTOF F. WOLINSKI,  
Plaintiff,  
v.  
J. LEWIS, et al.,  
Defendants.

No. 2:17-cv-00583 MCE AC

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. Following a modification of the December 12, 2023 Discovery and Scheduling Order, the deadline for filing a motion to compel was extended to May 30, 2024. Instead of filing a motion to compel, defendants filed a second motion for an extension of time to respond to plaintiff’s pending motions for access to an ADA computer. ECF No. 102. The motion indicates that the parties have agreed to extend plaintiff’s deadline to respond to defendants’ discovery requests that were served on February 15, 2024 despite the lack of any response from plaintiff. ECF No. 102. Moreover, the parties additionally have agreed to extend the motion to compel deadline to July 30, 2024. The court will grant these stipulated extensions of time.

This case was originally removed from state court more than 7 years ago and has not even finished discovery. This case is proceeding on plaintiff’s second amended complaint alleging

1 First Amendment retaliation and Eighth Amendment excessive force/failure to protect claims  
2 against defendants. Based on this history, the court does not find good cause for defendants'  
3 extension of time to respond to plaintiff's motions concerning his access to an ADA computer  
4 which are not focused on the merits of the pending claims.

5 Accordingly, IT IS HEREBY ORDERED that:


6 1. Defendants' motion for an extension of time (ECF No. 102) is granted in part and  
7 denied in part.

8 2. The motion is granted to the extent that plaintiff Wolinski's deadline to serve responses  
9 to Defendants' written discovery request is extended to **June 30, 2024** and the deadline to file a  
10 motion to compel is extended to **July 30, 2024**. **No further extensions of these deadlines shall**  
11 **be granted.**

12 3. The motion is denied to the extent that defendants request an extension of time to  
13 respond to plaintiff's motions for an ADA computer. This denial is without prejudice. If the  
14 court deems a response necessary, it will set a separate briefing schedule on plaintiff's motions.

15 4. The dispositive motions deadline remains August 29, 2024.

16 DATED: May 31, 2024

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18 ALLISON CLAIRE  
19 UNITED STATES MAGISTRATE JUDGE  
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