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| 8  | UNITED STATES DISTRICT COURT   |                                |
| 9  | FOR THE EASTERN DISTRICT OF CALIFORNIA   |                                |
| 10 |  |                                |
| 11 | TOM MARK FRANKS,   | No. 2:17-cv-1056 KJM CKD P     |
| 12 | Plaintiff,   |                                |
| 13 | v.   | <u>ORDER</u>                   |
| 14 | J. CLARK KELSO, et al.,  |                                |
| 15 | Defendants.  |                                |
| 16 |  |                                |
| 17 | Plaintiff has filed a motion for extension of time to file an opposition to defendant's          |                                |
| 18 | motion for summary judgment. Good cause appearing, IT IS HEREBY ORDERED that:                    |                                |
| 19 | 1. Plaintiff's motion for an extension of time (ECF No. 37) is granted; and                      |                                |
| 20 | 2. Plaintiff is granted up to and including December 28, 2018, in which to file an               |                                |
| 21 | opposition to the pending motion for summary judgment. Plaintiff's failure to file an opposition |                                |
| 22 | by December 28, 2018 will result in a recommendation that this action be dismissed without       |                                |
| 23 | prejudice.   |                                |
| 24 | Dated: December 18, 2018   | Carop U. Delany                |
| 25 |  | CAROLYN K. DELANEY             |
| 26 | 1.4.1.   | UNITED STATES MAGISTRATE JUDGE |
| 27 | 1/kly<br>fran1056.36   |                                |
| 28 |  |                                |
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