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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAWRENCE GEORGE HASH,  
Plaintiff,  
v.  
T. RALLOS, et al.,  
Defendants.

No. 2:17-cv-1721 TLN AC P

ORDER

Plaintiff has filed a motion for a thirty-day extension of time to serve written discovery requests on defendants. ECF No. 74. The current deadline for serving written discovery expired on September 12, 2022. Under Federal Rule of Civil Procedure 6(b), when a motion to extend time is made after the time has expired,<sup>1</sup> the party must show excusable neglect. Although plaintiff does not expressly address the issue, his motion sufficiently establishes excusable neglect for the delay in filing. Good cause appearing, the motion will therefore be granted. The deadline for motions to compel will also be extended accordingly. Plaintiff is cautioned that in the future, if he files a motion for an extension of time after the deadline he seeks to extend has already passed, he must explain why he failed to file the motion before the deadline expired.

<sup>1</sup> Based on plaintiff's certificate of service, the motion was constructively filed on September 15, 2022. See Houston v. Lack, 487 U.S. 266, 276 (1988) (establishing rule that a prisoner's court document is deemed filed on the date the prisoner delivered the document to prison officials for mailing).

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for an extension of time (ECF No. 74) is GRANTED;

2. Plaintiff shall have an additional thirty days, up to October 12, 2022, to serve requests for discovery pursuant to Federal Rules of Civil Procedure 31 (deposition by written question), 33 (interrogatories), 34 (production of documents), or 36 (admissions); and

3. Plaintiff shall have until December 12, 2022, to file any motions necessary to compel discovery.

DATED: September 28, 2022

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE