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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ELI'EZER RE'UEL BEN-BINYAMIN,
Plaintiff,
v.
C. RAMIREZ, *et al.*,
Defendants.

Case No. 2:18-cv-01015-KJM-JDP (PC)
ORDER GRANTING PLAINTIFF
ADDITIONAL TIME TO RESPOND TO
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT
ECF No. 64

On September 22, 2021, defendants filed a motion for summary judgment, which was served on plaintiff by mailing a copy of the motion to the Theo Lacy Facility in Orange County. ECF No. ECF No. 64-10. The following day, plaintiff notified the court and defendants that he had been moved to Folsom State Prison. ECF No. 53. Accordingly, defendants reserved their motion on plaintiff at that prison. ECF Nos. 67, 68. Plaintiff, however, recently notified the court that he has been transferred again, this time to the California Institute for Men. ECF No. 69. He explains that he is currently waiting for his mail to rerouted to his current facility. *Id.* at 2.

Since it appears that plaintiff has yet to receive a copy of defendants' motion, the court will grant him additional time to file either an opposition or statement of non-opposition.¹

¹ In the event plaintiff does not receive a copy of defendants' motion, he may notify the court that he is unable to properly respond to the motion. Should that issue arise, the court will direct defendants to reserve their motion on plaintiff at his new facility.

1 The court also amends the August 24, 2021 order that granted defendants' motion to
2 modify the scheduling order. ECF No. 63. That order inadvertently stated that the deadline for
3 filing dispositive motions had been extended to September 22, 2022, rather than to the correct
4 date of September 22, 2021.

5 Accordingly, it is hereby ORDERED that:


6 1. Plaintiff shall file either an opposition or statement of non-opposition to defendants'
7 motion for summary judgment on or before November 19, 2021.

8 2. Defendants reply to plaintiff's opposition, if any, shall be filed by no later than
9 December 3, 2021.

10 3. The August 24, 2021 order, ECF No. 63, is modified to reflect that the deadline for
11 filing dispositive motions was extended to September 22, 2021.

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13 IT IS SO ORDERED.

14 Dated: October 21, 2021



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE

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