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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANTHONY CHRISANTHIS,

No. C 08-02472 WHA

Plaintiff,

v.

ORDER RE HEARING

DR. BRIAN CASON, IRVING SPIVEY,
and DOES 1 to 10,

Defendants.

On August 4, 2008, defendants filed a “Motion to Dismiss or, in the Alternative, for Summary Judgment.” After being granted an extension to respond, on September 2, instead of filing an opposition, plaintiff filed a First Amended Complaint, which it was entitled to do as a matter of course. Rule 15(a)(1)(A).

In a September 12 order, the Court instructed defendants to amend and re-notice their motion to dismiss to take into account the new pleading, if they intended to do so, by September 26, 2008 (Dkt. No. 33). The September 12 order reset the deadlines for the parties’ opposition and reply briefs pursuant to Civil Local Rule 7-3, and set the hearing on the matter for October 23, 2008.

On September 17, 2008 plaintiff filed a request for a continuance either to October 24, 2008, or until October 30, 2008, because plaintiff’s attorney had been assigned “lifer” cases at California State Prison-Solano. Plaintiff indicated that the State of California has insufficient time to reassign the matters to a new attorney. Good cause has been shown for a brief

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continuance, and therefor the hearing in this case is rescheduled for **October 30, 2008**. All other deadlines in the Court's September 12 order (Dkt. No. 33) remain unchanged.

IT IS SO ORDERED.

Dated: September 18, 2008



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE