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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK LETELL ADAMS,

Plaintiff,

No. C 10-04787 WHA

v.

RONALD ALBERTSON individually in his official capacity as a former San Carlos Police Sergeant, MICHAEL ANDERSON individually in his official capacity as a former San Carlos Police Officer, JUSTIN COUNCIL individually in his official capacity as a former San Carlos Police Officer, GREG ROTHHAUS individually in his official capacity as a former San Carlos Police Chief, CITY OF SAN CARLOS, CITY OF SAN CARLOS POLICE DEPARTMENT, and DOES 1–100,

Defendants.

**ORDER DENYING PRÉCIS
REQUEST TO FILE MOTION
FOR CONTINUANCE**

Plaintiff Mark Adams submits a précis request to file a motion for continuance pursuant to Rule 56(f) (Dkt. No. 150). Defendants oppose (Dkt. No. 152). A party requesting a continuance pursuant to Rule 56(f) must identify the specific facts that further discovery would reveal, and explain why those facts would preclude summary judgment. *Tatum v. City and County of San Francisco*, 441 F.3d 1090, 1100 (9th Cir. 2006). Adams does not identify any specific facts that further discovery would reveal or explain how those facts would preclude summary judgment.

Adams' request is similar to his earlier request to extend discovery (Dkt. No. 137). In denying without prejudice that request, the order required Adams to obtain the recommendation

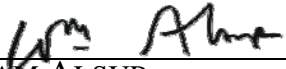
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of Magistrate Judge Maria-Elena James, who is handling all discovery disputes in this action (Dkt. No. 139). Adams has not submitted an update regarding Judge James' recommendation as to whether discovery should be extended. Judge James denied Adams' latest discovery requests, suggesting that extending discovery in this action is unwarranted (Dkt. Nos. 145, 148).

Plaintiff Adams' request to file motion for continuance pursuant to Rule 56(f) is **DENIED WITHOUT PREJUDICE.**

IT IS SO ORDERED.

Dated: December 20, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE