

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM GUY,

Case No. [12-cv-06301-JD](#)

Plaintiff,

ORDER

v.

Re: Dkt. No. 46

W. BAPTISTA, et al.,

Defendants.

United States District Court
Northern District of California

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Plaintiff, a state prisoner, proceeds with a civil rights complaint under 42 U.S.C. § 1983. On June 30, 2014, defendants filed a motion for summary judgment. Plaintiff has not filed an opposition but did file objections. Plaintiff states that he has not had an opportunity to pursue discovery therefore summary judgment should be denied. However, in the Court's June 24, 2013, service order plaintiff was informed that discovery could proceed in accordance with the Federal Rules of Civil Procedure. Plaintiff has not explained why he failed to pursue discovery in the past year, but also states in a declaration that he did receive at least documents from defendants. To the extent plaintiff is seeking an extension to pursue more discovery he has not shown good cause.

Plaintiff may have an additional **21 days** from the date of service of his order to file an opposition to the motion for summary judgment. Plaintiff's motion for a scheduling order (Docket No. 46) is **DENIED**.

IT IS SO ORDERED.

Dated: September 3, 2014



JAMES DONATO
United States District Judge

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 9/4/2014, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

William Guy ID: C-53829
Salinas Valley State Prison
P. O. Box 1050
Soledad, CA 93960

Dated: 9/4/2014

Richard W. Wieking
Clerk, United States District Court

By: *Lisa R. Clark*
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO