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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DENNIS LAMAR JAMES,
Plaintiff,
v.
OAKLAND POLICE DEPARTMENT, et
al.,
Defendants.

Case No. [13-cv-00011-SI](#)

ORDER EXTENDING DEADLINES

Re: Dkt. No. 95

The doctor-defendants filed a motion for summary judgment on December 9, 2015. Now before the court is plaintiff's second request for an extension of the deadline to oppose that motion for summary judgment. Plaintiff states that he needs additional time because he has been feeling overwhelmed by his litigation in this court, he might want to do discovery, and he may be released from custody soon. The court is largely unpersuaded. First, the court has set longer briefing schedules mindful of both plaintiff's custodial status and the existence of two sets of defendants. Plaintiff does have another case pending, *James v. Hayward Police Department*, Case No. C 13-1092 SI, but there are no current deadlines in that case. Second, plaintiff's suggestion that he might want to do discovery does not warrant any delay in the briefing schedule because he has had many months to do discovery, does not identify what discovery remains to be done or explain why he has not yet done it, and does not identify the particular evidence he will obtain to avoid summary judgment. Finally, plaintiff's custodial status is too unpredictable to warrant any further delay in the prosecution of this action; although plaintiff expects to be released from custody, he notes that there are additional charges pending against him in another county. This action was filed more than three years ago, and needs to move toward resolution. Defendants, as well as plaintiffs, are entitled to timely resolution of litigation in which they are involved. Plaintiff must prepare his opposition now, and should not wait until his release from custody.

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The court GRANTS a limited extension of the deadline for plaintiff to file an opposition to the doctor-defendants' motion for summary judgment. (Docket No. 95.) Plaintiff must file and serve his opposition to the doctor-defendants' motion for summary judgment no later than **May 5, 2016**. *This deadline will not be further extended because, by the time it arrives, the motion will have been pending for six months.* Failure to file the opposition by the deadline will result in the motion being deemed unopposed. The doctor-defendants must file and serve their reply brief, if any, no later than **May 20, 2016**.

The law enforcement defendants filed a motion for summary judgment on March 18, 2016. The court now *sua sponte* resets the deadlines on that motion: Plaintiff must file and serve his opposition to the law enforcement defendants' motion no later than **May 5, 2016**. The law enforcement defendants must file and serve their reply brief, if any, no later than **May 20, 2016**.

IT IS SO ORDERED.

Dated: April 1, 2016



SUSAN ILLSTON
United States District Judge