

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

3 JUMAH ALI-THOMAS MOORE,

No. C 06-02105 SBA (PR)

4 Plaintiff,

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
MOTION FOR AN EXTENSION OF
TIME TO FILE AN OPPOSITION**

5 v.

6 CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

(Docket no. 74)

7 Defendants.
8 _____/

9 Defendants filed their motion for summary judgment on January 29, 2009. Therefore, based
10 on the scheduling order in the Court's December 9, 2008 Order, the deadline for the filing of
11 Plaintiff's opposition was on or before March 2, 2009.

12 Before the Court is Plaintiff's motion for a thirty-day extension of time to file his opposition.
13 Plaintiff has failed to allege that his failure to file a timely opposition was due to exigent
14 circumstances. Nevertheless, having read and considered Plaintiff's request and the accompanying
15 declaration filed by Plaintiff, the Court finds that a brief extension of time is appropriate.

16 Accordingly, IT IS HEREBY ORDERED that Plaintiff's request for an extension of time to file an
17 opposition to Defendants' motion for summary judgment is GRANTED in part and DENIED in part.
18 The time in which Plaintiff must file his response to Defendants' motion will be extended up to and
19 including **March 13, 2009**. If Defendants wish to file a reply brief, they shall do so no later than
20 **fifteen (15) days** after the date Plaintiff's opposition is filed. The motion shall be deemed submitted
21 as of the date the reply brief is due. No hearing will be held on the motion unless the Court so
22 orders at a later date. The Court will resolve the motion for summary judgment in a separate written
23 Order.

24 **No further extensions of time will be granted in this case absent exigent circumstances.**

25 This Order terminates Docket no. 74.

26 IT IS SO ORDERED.

27 DATED: 3/3/09

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SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JUMAH ALI-THOMAS MOORE,
Plaintiff,

Case Number: CV06-02105 SBA

CERTIFICATE OF SERVICE

v.

M THOMAS et al,
Defendant.

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 March 4, 2009, 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.

Jumah Ali-Thomas Moore D-62389
Pelican Bay State Prison
P.O. Box 7000
Crescent City, CA 95532

Dated: March 4, 2009

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk