

United States District Court  
For the Northern District of California

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

O'MARR L. BURNETT,

Plaintiff,

v.

DEPUTY FRAYNE, et al.,

Defendants.

No. C 09-04693 SBA (PR)

**ORDER DENYING RENEWED MOTION  
FOR APPOINTMENT OF COUNSEL  
AND GRANTING PLAINTIFF A  
SECOND EXTENSION OF TIME TO  
FILE OPPOSITION TO MOTION TO  
DISMISS**

Before the Court are Plaintiff's renewed motion for appointment of counsel and his request for a second extension of time to file his opposition to Defendants' motion to dismiss (docket no. 33).

In an Order dated August 25, 2010, the Court denied Plaintiff's first request for appointment of counsel. For the same reasons, Plaintiff's renewed motion for appointment of counsel (docket no. 33) is DENIED.

The Court GRANTS Plaintiff's motion for a second extension of time to file his opposition to Defendants' motion to dismiss (docket no. 33). The time in which Plaintiff may file his opposition will be extended up to and including **November 30, 2010**. If Defendants wish to file a reply brief, they shall do so no later than **fifteen (15) days** after the date Plaintiff's opposition is filed.

This Order terminates Docket no. 33

IT IS SO ORDERED.

DATED: 10/27/10

  
SAUNDRA B. ARMSTRONG  
United States District Judge

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

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5 OMARR L. BURNETT,  
6 Plaintiff,

Case Number: CV09-04693 SBA

**CERTIFICATE OF SERVICE**

7 v.

8 FRAYNE et al,  
9 Defendant.

10  
11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
12 Court, Northern District of California.

13 That on October 27, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said  
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
16 in the Clerk's office.

17 O'Marr L. Burnett F-26842  
18 Salinas Valley State Prison  
19 P.O. Box 1050  
20 Soledad, CA 93960-1050

21 Dated: October 27, 2010

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

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