24

25

26

27

28

1 2 3 4 5 6 7 IN THE UNITED STATES DISTRICT COURT 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA 9 10 PAUL MITCHELL, No. C 11-02705 SBA (PR) 11 ORDER GRANTING PETITIONER'S Petitioner, SECOND REQUEST FOR EXTENSION 12 TIME TO FILE HIS OPPOSITION ΓΟ MOTION TO DISMISS: AND 13 DIRECTING RESPONDENT TO FILE ANTHONY HEDGEPETH, Warden, RESPONSE TO PETITIONER'S OTHER 14 Respondent. PENDING MOTION 15 16 Petitioner has filed a second request for an extension of time in which to file his opposition 17 to Respondent's Motion to Dismiss. 18 On November 18, 2011, the Court granted Petitioner's first request for an extension of time 19 to file his opposition. The Court directed Petitioner to file his opposition no later than January 12, 20 2012. Petitioner now requests a second extension of time, stating that lockdowns at the prison have 21 prevented his access to the law library. Having read and considered Petitioner's request, and good 22 cause appearing, IT IS HEREBY ORDERED that Petitioner's request for an extension of time is 23

GRANTED. The time in which Petitioner may file his opposition to Respondent's Motion to Dismiss will be extended up to and including **thirty** (30) days from the date of this Order. Respondent shall file a reply brief no later than **fifteen (15) days** after the date Petitioner's

opposition is filed.

Petitioner has also filed a document entitled, "Order to Show Cause for an [sic] Preliminary Injuction" (docket no. 26), in which he requests sufficient access to the prison law library and complains of "limitations that are too restrictive and constitute a denial of [his] rights to access [to] the courts." (Pl.'s Dec. 27, 2011 Mot. at 1.) The Court construes this document as a motion for an order directing the California Department of Corrections and Rehabilitation (CDCR) to allow him physical access to the Salinas Valley State Prison (SVSP) law library. Respondent has not responded to Petitioner's motion. Therefore, no later than ten (10) days from the date of this Order, the Court directs Respondent to respond to Petitioner's motion for an order allowing him access to the SVSP law library.

IT IS SO ORDERED.

DATED: 1/23/12

UNITED STATES DISTRICT

1	UNITED STATES DISTRICT COURT FOR THE
2	NORTHERN DISTRICT OF CALIFORNIA
3	
4	
5	PAUL MITCHELL, Case Number: CV11-02705 SBA
6	Plaintiff, CERTIFICATE OF SERVICE
7	V. CERTIFICATE OF SERVICE
8	ANTHONY HEDGEPETH 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 Court, Northern District of California.
12	That on January 25, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said
13	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.
14	
15	
16	Paul Mitchell G-21965 Salinas Valley State Prison
17	31625 Highway 101 P.O. Box 1050
18	Soledad, CA 93960-1050
19	Dated: January 25, 2012 Richard W. Wieking, Clerk
20	By: LISA R CLARK, Deputy Clerk
21	
22	
23	
24	
25	
26	
27	
28	