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2  
3 IN THE UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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6  
7 ERIC L. GONZALEZ,

No. C 11-5561 CW (PR)

8 Plaintiff,

ORDER DENYING PLAINTIFF'S  
MOTION FOR EXTENSION OF  
9 TIME TO FILE REPLY TO  
MOTION FOR RELIEF FROM  
10 JUDGMENT

v.

11 CHIEF MEDICAL OFFICER DR. BILL  
ZIKA, DR. GARBARINO,

Doc. no. 75

12 Defendants.  
13 \_\_\_\_\_/

14 Plaintiff, a state prisoner incarcerated at the Correctional  
15 Training Facility (CTF) in Soledad, California, filed a pro se  
16 civil rights action pursuant to 42 U.S.C. § 1983, alleging  
17 deliberate indifference to his serious mental health needs. On  
18 August 27, 2013, the Court granted Defendants' motion for summary  
19 judgment and denied Plaintiff's cross-motion for summary judgment.  
20 On the same day, judgment was entered in favor of Defendants. On  
21 September 9, 2013, Plaintiff filed a motion for relief from  
22 judgment under Rule 59(e). Also, on September 9, 2013, Plaintiff  
23 filed a notice of appeal of the Court's Order Granting Defendants'  
24 Motion for Summary Judgment. On September 25, 2013, Plaintiff  
25 filed a motion for a temporary restraining order to require  
26 Defendants to recommend single-cell status for him until the Court  
27 rendered its decision on his Rule 59(e) motion. On October 9,  
28

1 2013, the Court issued an order denying Plaintiff's motions for  
2 relief from judgment and for a temporary restraining order.

3 On October 17, 2013, Plaintiff filed the instant motion for an  
4 extension of time to respond to Defendants' opposition to his  
5 motion for relief from judgment. Plaintiff indicates that, because  
6 he did not receive Defendants' opposition, he needs additional time  
7 to file his reply.

8 As discussed above, judgment was entered in this case on  
9 August 27, 2013. Doc. no. 67. Since that date, Plaintiff has  
10 filed two notices of appeal to the Ninth Circuit, doc. nos. 68, 71,  
11 and motions for relief from judgment and a temporary restraining  
12 order. These post-judgment motions were denied based upon the  
13 reasons stated in the Court's October 9, 2013 Order. Plaintiff  
14 need not file a reply to Defendants' opposition and his motion for  
15 an extension of time to file a reply is, therefore, DENIED.

16 CONCLUSION

17 For the foregoing reasons, Plaintiff's motion for an extension  
18 of time to file a reply is DENIED. This Order terminates docket  
19 number 75.

20 IT IS SO ORDERED.

21  
22 DATED: 10/28/2013

  
CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE