

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY WILLIAMS,
Plaintiff,
v.
A. LUJAN,
Defendant.

Case No. 16-cv-04290-HSG (PR)

**ORDER GRANTING PLAINTIFF'S
REQUEST FOR EXTENSION OF TIME**

Re: Dkt. No. 31

Good cause appearing, Plaintiff's request for an extension of time to file an opposition to Defendant's motion for summary judgment is GRANTED. Plaintiff shall file his opposition no later than **August 28, 2017**. Defendant shall file his reply no later than **fourteen (14)** days after the date of service of the opposition.

Plaintiff requests an order from the Court permitting him to: (1) make phone calls necessary to securing declarations from correctional officers, and (2) maintain in his possession pictures of standard issue boots so that he can submit them as evidence in support of his opposition. Plaintiff's request is DENIED. Plaintiff has not shown that propounding discovery would be insufficient for his purposes. Moreover, the restrictions Plaintiff complains of are presumably due to rules or regulations set forth by San Quentin State Prison, which is not a party to this action.

If Plaintiff determines that necessary facts are unavailable to him due to lack of discovery, Plaintiff may, along with his opposition, file a declaration pursuant to Federal Rule of Civil Procedure 56(d). Rule 56(d) provides that if a party opposing a summary judgment motion shows "by affidavit or declaration that, for specified reasons, it cannot present facts essential to justify its

1 opposition, the court may (1) defer considering the motion or deny it; (2) allow time to obtain
2 affidavits or declarations or to take discovery; or (3) issue any other appropriate order. Fed. R.
3 Civ. P. 56(d).

4 This order terminates Docket No. 31.

5 **IT IS SO ORDERED.**

6 Dated: 7/19/2017

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HAYWOOD S. GILLIAM, JR.
United States District Judge