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

FLOYD SMITH,)	No. C 04-4793 RMW (PR)
)	
Plaintiff,)	ORDER GRANTING
)	EXTENSION OF TIME TO FILE
v.)	SUPPLEMENTAL OPPOSITION
)	
J.S. WOODFORD, et al.,)	
)	
Defendants.)	
)	

Plaintiff, a state prisoner proceeding pro se and confined at San Quentin State Prison, filed a second amended civil rights complaint (“SAC”) pursuant to 42 U.S.C. § 1983. Plaintiff claims that defendants discriminated against him based on his sexual orientation, in violation of the Equal Protection Clause. Defendants have filed a motion for summary judgment. Plaintiff has filed an opposition, and defendants have filed their reply.

However, prior to filing his opposition, plaintiff filed an objection to the defendants’ motion for summary judgment. In that objection, plaintiff alleged that he never received the court’s January 27, 2011 order of service. In light of plaintiff’s assertion, and a general chrono submitted by plaintiff from a correctional officer (Opp. at 6) stating that no mail from the Northern District Court was received for plaintiff from January 25, 2011 through April 27, 2011, the court will send plaintiff another copy of the January 27, 2011 order of service.

Further, the court sua sponte grants plaintiff **thirty (30) days** from the filing date of this

1 order to file a supplemental opposition. If defendants wish to file a supplemental reply, they
2 shall do so within fifteen days thereafter. At that time, the motion for summary judgment will be
3 deemed submitted and ready for consideration.

4 IT IS SO ORDERED.

5 DATED: _____

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SMITH et al,
Plaintiff,

Case Number: CV04-04793 RMW

CERTIFICATE OF SERVICE

v.

WOODFORD 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 6, 2012, 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.

Floyd Smith K-72700
San Quentin State Prison
San Quentin, CA 94974

Dated: March 6, 2012

Richard W. Wieking, Clerk
By: Jackie Lynn Garcia, Deputy Clerk