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

JERRY L. COBB,
Plaintiff,
v.
JEANNE WOODFORD, et al.,
Defendants.

No. C 06-6372 RMW (PR)
ORDER PROVIDING
PLAINTIFF NOTICE AND
WARNING; SCHEDULING
SUPPLEMENTAL BRIEFING

Plaintiff, a California prisoner pro se, filed this civil rights action under 42 U.S.C. § 1983. Defendants have filed a motion to dismiss in which they argue that plaintiff’s claims are not exhausted as required by 42 U.S.C. § 1997e, and a motion for summary judgment. Although given an opportunity, plaintiff did not file an opposition.

Pursuant to Woods v. Carey, No. 09-15548, slip op. 7871, 7884-85 (9th Cir. July 6, 2012), plaintiff must read the following “NOTICE -- WARNING (SUMMARY JUDGMENT),” which is provided to him for a second time pursuant to Rand v. Rowland, 154 F.3d 952, 953-954 (9th Cir. 1998) (en banc), and Klinge v. Eikenberry, 849 F.2d 409, 411-12 (9th Cir. 1988). To the extent defendants argue that plaintiff failed to exhaust his available administrative remedies as required by 42 U.S.C. 1997e(a), plaintiff should also read the “NOTICE -- WARNING (EXHAUSTION),” which is provided to him for a second time pursuant to Wyatt v. Terhune, 315 F.3d 1108, 1120 n.4 (9th Cir. 2003):