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\*E-FILED 1/29/2009\*

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NOT FOR CITATION

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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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SAN JOSE DIVISION

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CHRISTINA SANCHEZ,

No. C07-04174 HRL

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Plaintiff,

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v.

**ORDER GRANTING PLAINTIFF'S  
MOTION FOR AN EXTENSION OF  
TIME**

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SUZETTE Z. TORRES, FIRST AMERICAN  
TITLE, JANE E. BEDNAR, NAM NGUYEN,  
HOMECOMINGS FINANCIAL NETWORK,  
CITIMORTGAGE, INC., JEFFERY H.

[Re: Docket No. 55]

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LOWENTHAL, BRYAN M. KRAFT,  
ANGELO PAUL RUSSO, CITY OF SALINAS,  
ADAM M. GREELY, ANDY PHAM,  
MONTEREY COUNTY, EXECUTIVE  
TRUSTEE SERVICES, LOANCITY.COM,  
JOHN H. MITCHELL,

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Defendants.

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On December 18, 2008, this court granted the motion to dismiss filed by the sole remaining defendant, the County of Monterey ("County"), with leave to amend. The order directed plaintiff to file her amended complaint as to the County by January 19, 2009, and further, stated that "[i]f Sanchez has not filed it by that date, or secured an extension of time based on good cause, the court will dismiss as to Monterey without further notice." (Docket #52, December 18, 2008 Order at 11:24-25). On the day her amended pleading was due, Sanchez did not file an amended complaint. Instead, she filed a request seeking an unspecified

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1 additional period of time to do so. She asserted that she could not file her amended pleading by  
2 the court-ordered deadline because of an alleged “medical condition” and because she did not  
3 “obtain legal advice in time.” (See Docket #55). The County opposes Sanchez’s request for an  
4 extension.

5 Sanchez has not established good cause for an extension of time. As detailed in prior  
6 orders of this court, plaintiff has, throughout this litigation, consistently failed to (a) timely file  
7 papers with the court, (b) meet court-ordered deadlines, and (c) make scheduled court  
8 appearances. The fact that Sanchez is representing herself does not absolve her of the  
9 responsibility to diligently prosecute her case and to adhere to rules that all litigants are required  
10 to follow. See King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987) (finding that pro per litigants  
11 must follow the same procedural rules as represented parties). In any event, the court notes that  
12 plaintiff previously has filed several amended complaints in this action on her own and never  
13 until now suggested the need or desire to “obtain legal advice.” Further, Sanchez’s vague and  
14 unsupported assertions as to an alleged “medical condition” are insufficient to establish good  
15 cause for an extension.

16 Nevertheless, this court will exercise its discretion to permit Sanchez some additional  
17 time to file her amended pleading as to the County of Monterey. Accordingly, Sanchez’s  
18 amended complaint as to the County shall be filed no later than **February 17, 2009**. No further  
19 requests for an extension of this deadline will be entertained unless plaintiff submits a  
20 declaration under penalty of perjury from a physician licensed to practice in California that her  
21 “medical condition” has, in fact, prevented her continuously since January 19, 2009 from  
22 drafting and filing an amended pleading and stating the reason for her inability as well as the  
23 date when she will be able.

24 SO ORDERED.

25 Dated: January 29, 2009

  
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HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

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**5:07-cv-4174 Notice electronically mailed to:**

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**Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.**

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