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

ANTONIO VASQUEZ,) No. C 09-03120 EJD (PR)	
Plaintiff, vs.	ORDER DENYING MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION	
FRANCISCO JACQUEZ, et al.,		
Defendants.		
) (Docket No. 41)	

Plaintiff, a California prisoner proceeding <u>pro se</u>, filed the instant civil rights action pursuant to 42 U.S.C. § 1983. On March 18, 2011, Defendants filed a motion for summary judgment. (Docket No. 36.) According to the Court's Order of Service, Plaintiff's opposition was to be filed with the Court no later than forty-five days from the date Defendants' motion was filed, i.e., no later than May 2, 2011. (See Docket No. 11 at 4.)

On June 24, 2011, well after the deadline for filing the opposition had passed, Plaintiff filed a motion for extension of time to file opposition, which was signed on June 19, 2011. (Docket No. 41.) Plaintiff states in the motion that he has been unsuccessfully seeking an "Olsen Review" to review his gang validation records.

Plaintiff was advised in the Court's Order of Service that "Extensions of time

must be filed no later than the deadline sought to be extended and must be accompanied by a showing of good cause." (Docket No. 11 at 5.) Here, not only is Plaintiff's motion untimely, but he has failed to show good cause for his failure to file a timely motion for extension of time. Accordingly, Plaintiff's motion for an extension of time is DENIED. Defendants' motion for summary judgment was deemed submitted as of May 2, 2011, when Plaintiff's opposition was due.

This order terminates Docket No. 41.

DATED: July 6, 2011

United States District Judge

UNITED STATES DISTRICT COURT

FOR THE

NORTHERN DISTRICT OF CALIFORNIA

ANTONIO VA	SQUEZ,	Case Number: CV09-03120 EJD
]	Plaintiff,	CERTIFICATE OF SERVICE
v.		
FRANCISCO J	JACQUEZ, et al.,	
	Defendants.	
	ned, hereby certify the	at I am an employee in the Office of the Clerk, U.S. Districtia.
hereinafter liste	acing said copy(ies) i ed, by depositing said	, I SERVED a true and correct copy(ies) of the n a postage paid envelope addressed to the person(s) lenvelope in the U.S. Mail, or by placing said copy(ies) into ocated in the Clerk's office.
Antonio Vasqu Pelican Bay Sta P. O. Box 7500 Crescent city, C	ate Prison	
Dated:	7/6/2011	
		Richard W. Wieking, Clerk /s/ By: Elizabeth Garcia, Deputy Clerk