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

FRANCISCO VILLASENOR,	)	No. C 11-3662 LHK (PR)
	)	
Plaintiff,	)	ORDER GRANTING PLAINTIFF’S
	)	MOTION FOR EXTENSION OF TIME
vs.	)	TO FILE OPPOSITION
	)	
MATTHEW CATE,	)	
	)	
Defendant.	)	
		(Docket No. 30)

Plaintiff, proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 against Defendant Matthew Cate, alleging that he was deliberately indifferent to Plaintiff’s serious medical needs. Defendant filed an motion to dismiss for failure to exhaust. On May 11, 2012, the Court granted Defendant’s unopposed motion to dismiss. On June 7, 2012, Plaintiff filed a motion for reconsideration, alleging that he had been housed in administrative segregation and had no ability to contact this Court. The Court granted Plaintiff’s motion for reconsideration, re-opened this action, and ordered him to file an opposition to Defendant’s motion to dismiss within 28 days. On August 12, 2012, after having received no further communication from Plaintiff, the Court again dismissed the action. Plaintiff then filed a second motion for reconsideration along with supporting documentation indicating that he mailed an opposition to the Court on July 18, 2012. On October 22, 2012, the Court granted Plaintiff’s

1 motion for reconsideration and instructed Plaintiff to file an opposition no later than November  
2 19, 2012.

3 On November 9, Plaintiff filed a motion for extension of time to file an opposition. (Doc.  
4 No. 30.) Petitioner indicates that he has limited access to the law library and that his copy of  
5 Defendant's motion to dismiss was inadvertently taken during a search of his area. (Doc. No.  
6 30.) Plaintiff motion is **GRANTED**. Plaintiff shall file an opposition **within twenty-eight (28)**  
7 days of the filing date of this order.

8 Given the fact that this Court has granted two motions for reconsideration to allow  
9 Plaintiff to file an opposition which he implied had been drafted and mailed several months ago,  
10 **Plaintiff is advised that no further extensions of time are contemplated. Plaintiff is further**  
11 **advised that failure to file a opposition within the time allowed will result in dismissal of**  
12 **this action for the reasons stated in this Court's May 11, 2012 order.**

13 IT IS SO ORDERED.

14 DATED: 12/4/12

  
LUCY H. KOH  
United States District Judge