

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHNNY ANDREW MOORE,

Plaintiff,

v.

S. HATTON, et al.,

Defendants.

Case No. 17-03696 BLF (PR)

**ORDER DENYING MOTION FOR  
EXTENSION OF TIME AS  
UNNECESSARY**

(Docket No. 35)

Plaintiff, a California inmate, filed the instant *pro se* civil rights action pursuant to 42 U.S.C. § 1983, against officials at the California Training Facility. Dkt. No. 1. On June 26, 2020, the Court granted Defendants' motion to dismiss and entered judgment the same day. Dkt. Nos. 32, 33. On July 24, 2020, Plaintiff filed a motion for an extension of time, asserting that he received a "civil motion response to this civil complaint on July 17, 2020." Dkt. No. 35 at 1. Plaintiff asserts that he sent some documents to this Court on April 1, 2020. *Id.* at 2. However, there was no activity on the docket for this case during April or May 2020. The Court can only surmise that Plaintiff is confusing this closed matter with another action filed as *Moore v. Hatton*, et al., Case No. 20-1445 BLF (PR). In that case, the Court screened the complaint which was removed to this Court by Defendants, and dismissed the complaint with leave to amend on July 7, 2020. *Id.*; Dkt.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

No. 7. To the extent that Plaintiff is seeking an extension of time in that case, he must refile a new motion into that matter and reference the correct case number. He may explain therein his confusion with this closed action as good cause for the late request.

Accordingly, the motion for an extension of time filed in this matter is DENIED as unnecessary since there are no pending matters in this closed action.

This order terminates Docket No. 35.

**IT IS SO ORDERED.**

Dated: August 10, 2020



BETH LABSON FREEMAN

United States District Judge