

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JAMES SMALLEY,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:10CV319 RWS
	)	
MICHAEL GAMACHE, et al.,	)	
	)	
Defendants.	)	

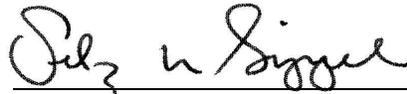
**MEMORANDUM AND ORDER**

This matter is before me on plaintiff's motion for an extension of time to respond to summary judgment. Plaintiff has already sought and obtained an extension of time to respond to this motion, in addition to seeking numerous previous extensions of time to complete discovery. This case was also significantly delayed when plaintiff attempted to dismiss his case but then changed his mind. I will give plaintiff an additional thirty days to respond to summary judgment, but this will be the last extension of time granted to plaintiff to respond to summary judgment. Finally, plaintiff again mentions his desire to obtain some sort of relief against the correctional facility where he is incarcerated for allegedly hindering his ability to prosecute this case. As I have repeatedly explained in numerous prior orders, that is not this case and does not involve these defendants.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for an extension of time [#101] is granted, and plaintiff's opposition to summary judgment shall be filed by **January 17, 2013**, and defendants' reply brief may be filed by **January 31, 2013**. **No additional extensions of time will be granted to plaintiff to respond to summary judgment, and plaintiff is specifically**

**warned that if he fails to timely respond to defendants' motion for summary judgment,**  
**then the Court will proceed to rule the summary judgment motion without any additional**  
**notice being given to plaintiff.**



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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 19th day of December, 2012.