

1 discretion of the district court. See, e.g., Jenkins v. Commonwealth Land Title Insurance
2 Co., 95 F.3d 791, 795 (9th Cir. 1996).

3 **III. DISCUSSION**


4 Plaintiff first raised the issue of retaining counsel at a scheduling conference held
5 on March 15, 2018. (ECF No. 25.) The Court thereafter ordered Plaintiff to retain counsel
6 or file a notice that he would be proceeding pro se by April 23, 2018. (ECF No. 28.) Plaintiff
7 did not comply with this order and instead requested an additional thirty days to retain
8 counsel on June 7, 2018. (ECF No. 29.) Plaintiff then filed another request for an extension
9 of time to retain counsel on September 4, 2018. (ECF No. 34.) Plaintiff has not described
10 his efforts to retain counsel and does not specify how much time he needs to retain
11 counsel. Given that Plaintiff has been unable to retain counsel since at least March 15,
12 2018, and in the absence of any explanation of his efforts, the Court finds that Plaintiff is
13 proceeding with his case pro se. As such, the Court liberally construes Plaintiff's most
14 recent motion to extend time (ECF No. 34) as a motion to extend time to respond to 7-
15 Eleven's Motion. So construed, Plaintiff's motion will be granted.

16 **IV. CONCLUSION**

17 It is therefore ordered that Plaintiff's motion to extend time (ECF No. 34) is granted
18 nunc pro tunc. Plaintiff will have through and until October 18, 2018, to respond to
19 7-Eleven's motion for summary judgment.

20 It is further ordered that Plaintiff's earlier motion to extend time (ECF No. 29) is
21 denied as moot.

22 DATED THIS 17th day of September 2018.

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25 _____
26 MIRANDA M. DU
27 UNITED STATES DISTRICT JUDGE
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