

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

Charles O. Ogindo,

Plaintiff,

v.

07-CV-1322

Lois DeFleur, et al.,

Defendants.

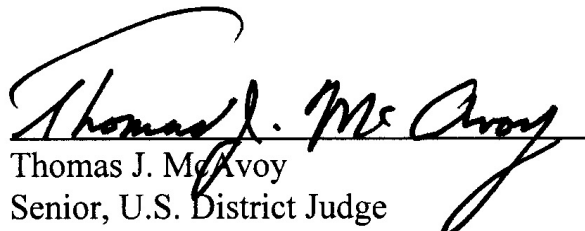
THOMAS J. McAVOY
Senior United States District Judge

DECISION and ORDER

Plaintiff Charles Ogindo, proceeding *pro se*, moves for summary judgment pursuant to Fed. R. Civ. P. 56. Defendant has submitted materials pursuant to Fed. R. Civ. P. 56(f) seeking adjournment of the motion pending completion of discovery. Because Defendant has demonstrated adequate grounds pursuant to Rule 56(f) and because discovery remains open until December 11, 2009, Plaintiff's motion for summary judgment is DENIED WITH LEAVE TO RENEW after Plaintiff has appeared for deposition and responded to Defendant's outstanding discovery requests. Any dispositive motions must, however, be filed on or before March 12, 2010.

IT IS SO ORDERED.

Dated: September 8, 2009


Thomas J. McAvoy
Senior, U.S. District Judge