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5 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 KEITH ADAIR DAVIS,

Plaintiff,

Case No. 2:16-cv-01709-RSM-BAT

v.

**ORDER GRANTING SECOND
REQUEST FOR EXTENSION**

9 WILLIAM HAYES, et al.,

Defendants.

11
12 On December 21, 2017, Defendants Bliss, Elerick, Gorman, and McKindry filed a
13 motion for summary judgment, which was noted for January 12, 2018. Dkt. 81. On January 5,
14 2018, Plaintiff Keith Davis requested a thirty day extension of his deadline to file his response.
15 Dkt. 99. Plaintiff requested the extension because he was transferred on December 15, 2017 to
16 another DOC facility and had not yet received his legal materials. Dkt. 99. Defendants did not
17 oppose the extension (Dkt. 103) and the Court granted the extension. Dkt. 104.

18 Plaintiff now seeks a sixty day extension of his deadline. Dkt. 110. Plaintiff claims he
19 requires this additional time because (1) he was denied discovery; (2) he has not received his
20 files for this case although he has filed two grievances requesting his property; (3) he is currently
21 housed in the hospital where he has no access to a law library; (4) his health is “debilitating” and
22 he has several procedures and surgery currently scheduled. Dkt. 110 at 3-4.

23 The Court has previously addressed Mr. Davis’ concerns about discovery. The record

1 reflects and Mr. Davis confirms, that he has received approximately 2500 pages of documents,
2 including copies of his medical records, defendants' disciplinary history; relevant DAJD
3 policies, and copies of his grievances. The time for discovery has passed and the Court has
4 already declined Mr. Davis' motions to extend the discovery deadline.

5 However, based on Mr. Davis' claims that he may need additional time due to health
6 issues, the Court will grant him an additional thirty days from the date he filed his motion. **No**
7 **further extensions will be granted.**

8 Accordingly, it is **ORDERED:**

9 1) Plaintiff's motion for extension (Dkt. 110) is **GRANTED in part;** Plaintiff shall file
10 his response to Defendants' motion for summary judgment by **March 5, 2018.** Defendants may
11 file their reply by **March 9, 2018.**

12 2) The Clerk is directed to **re-note** Defendants' motion for **March 9, 2018** and to send a
13 copy of this Order to the parties.

14 DATED this 15th day of February, 2018.

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BRIAN A. TSUCHIDA
United States Magistrate Judge