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

8 RONALD BRENNAN JR.,

9 Plaintiff,

10 v.

11 ANTHONY ASTON, et al.,

12 Defendants.  
13

Case No. 17-1928-JCC-MLP

ORDER RENOTING MOTIONS

14 This is a 42 U.S.C. § 1983 prisoner civil rights action. Currently pending are four  
15 motions for summary judgment filed by Defendants. (Dkt. ## 236, 244, 256, 264.) Defendants  
16 filed the first motion on October 31, 2019 (dkt. # 236), and Plaintiff timely filed a two-page  
17 opposition, arguing that “[a]ll the evidence and argument has been submitted to this Court over  
18 the last 22 months to prove my case” (dkt. # 240 at 2). On November 27, 2019, Defendants filed  
19 their second motion for summary judgment. (Dkt. # 244.) Plaintiff did not file an opposition.

20 On December 18, 2019, the dispositive motions deadline, Defendants filed their third and  
21 fourth motions for summary judgment, both of which were noted for January 10, 2020. (Dkt. ##  
22 256, 264.) On January 15, 2020, Plaintiff filed a letter informing the Court that he had not  
23 received Defendants’ motions and the supporting evidence until January 10, 2020, because the

1 law librarian was on vacation over the holidays. (Dkt. # 284 at 1-2.) He stated that due to his  
2 many transfers<sup>1</sup>, all his case files are in long-term storage in Everett, Washington, and that given  
3 the cost of transporting his files, he plans to wait to request them until a trial is scheduled. (*Id.* at  
4 2-3.) He further stated that he “filed all opposition [to the summary judgment motions] in my  
5 initial filing and many documents that followed,” and he asked the Court to deny Defendants’  
6 motions based on “the volumes of document[s] already submitted . . . .” (*Id.* at 2, 4.)

7 Plaintiff does not specifically request an extension of time to oppose Defendants’ third  
8 and fourth motions for summary judgment, but it is clear that he did not have an opportunity to  
9 timely file an opposition due to the delay in receiving the documents. Accordingly, the Court  
10 deems it appropriate to direct the clerk to RE-NOTE Defendants’ third and fourth motions for  
11 summary judgment (dkt. ## 256, 264) for **April 17, 2020**. Plaintiff may file response briefs to  
12 these motions by **April 13, 2020**, and Defendants may file reply briefs by the noting date.<sup>2</sup>

13 The Clerk is directed to send copies of this order to the parties and to the Honorable John  
14 C. Coughenour.

15 Dated this 23rd day of March, 2020.

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17 MICHELLE L. PETERSON  
18 United States Magistrate Judge  
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21 <sup>1</sup> On January 29, 2019, Plaintiff was transferred from the Snohomish County Jail to the Washington Corrections  
22 Center (“WCC”). (Dkt. # 189.) On February 22, 2019, he was transferred from the WCC to the King County Jail.  
(Dkt. # 198.) On July 23, 2019, he notified the Court that he had been transferred back to the WCC. (Dkt. # 229.) It  
appears he has remained at the WCC since then.

23 <sup>2</sup> Defendants set forth basic requirements for opposing summary judgment motions in their *Rand/Wyatt* notices.  
(Dkt. ## 263, 279.) Federal Rule of Civil Procedure 56 provides additional information, including that the Court  
“need consider only the cited materials, but it may consider other materials in the record.” Fed. R. Civ. P. 56(c)(3).