UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

WESLEY COTTON, Plaintiff, v. MEDINA, *et al.*, Defendants.	Case No. 1:22-cv-00568-JLT-EPG (PC) ORDER SUA SPONTE EXTENDING DEADLINE FOR DEFENDANTS TO RESPOND TO PLAINTIFF'S MOTIONS TO COMPEL (ECF Nos. 67, 72) RESPONSES DUE AUGUST 29, 2024

Plaintiff Wesley Cotton is proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

Before the Court are several motions to compel (ECF Nos. 63, 67, 72), only one of which has been fully briefed (ECF No. 63). While Plaintiff asks for B-yard footage from March 19, 2022 in motions ECF Nos. 63 and 67, in ECF No. 67 Plaintiff requests different footage, including audio and video from Sgt. Medina's vest camera and as well footage from vest cameras of the remaining Defendants "involved in utilizing the chemical agents" on March 19, 2022, for "one hour prior to the incident that led to use of force." (ECF No. 67 at 2).[1]

In addition, Plaintiff's Motion to Compel ECF No. 72 seeks different discovery altogether, including "3B yard count log for the entire yard regarding who was responsible for

[1] For clarity, minor spelling mistakes have been corrected without annotation.

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observing the close custody count on 3-19-22" and "SOMS login log for the computers in the Program office computers," as well as "3B equipment check out log for the program office." (ECF No. 72 at 1).

The Court previously set briefing on one of Plaintiff's motion to compel (ECF No. 72) by Minute Order No. 73, requiring an opposition by June 13, 2024. (ECF No. 73). However, although Defendants filed a request for an extension of time on June 11, 2024 (ECF No. 76) and a response to a different motion to compel on June 27, 2024 (ECF No. 78), it appears that Plaintiff's motions to compel ECF Nos. 67 and 72 are currently unopposed.

Given the multiple motions and out of abundance of caution, the Court will sua sponte extend the deadline for Defendants to respond to both of Plaintiff's motions to compel (ECF Nos. 67, 72) until August 29, 2024. If no opposition is filed by that date, the Court will consider the motions unopposed.

Plaintiff may file a reply within two weeks of Defendants' response, if any.

Accordingly, **IT IS ORDERED** that:

1. Defendants may file opposition to Plaintiff's motions to compel (ECF No. 67, 72) by no later August 29, 2024.
2. Plaintiff may file a Reply within two weeks of Defendants' response, if any is filed.

IT IS SO ORDERED.

Dated: **August 15, 2024**

/s/ Eric P. Grosjean
UNITED STATES MAGISTRATE JUDGE