UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DEMOND CHARLES BRACKETT,

Plaintiff,

v.

KORY HONEA, et al.,

Defendants.

No. 2:23-cv-1935 DAD AC P

ORDER

Defendants have filed a motion to extend the discovery deadline by one week in order to accommodate plaintiff's deposition due to an unexpected and irresolvable conflict. ECF No. 40. Good cause appearing, the motion will be granted. Additionally, on December 16, 2025, defendants filed a motion to compel discovery responses on the ground that plaintiff has completely failed to respond to written discovery. ECF No. 38. The time for responding has now passed and plaintiff has not responded. Plaintiff will be given one final opportunity to respond and is cautioned that failure to respond will be deemed a waiver of any opposition to the granting of the motion. See L.R. 230(l). Moreover, considering defendants' representation that plaintiff has completely failed to respond to written discovery, even after they notified him of his failure to respond and provided an extension of time, failure to respond to the motion to compel may result in a recommendation that this action be dismissed without prejudice for failure to prosecute and failure to comply with a court order. See Fed. R. Civ. P. 16(f); Fed. R. Civ. P. 41(b); L.R. 110.

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Having initiated this lawsuit, plaintiff has an obligation to pursue it diligently, and that includes participating in the discovery process.

Accordingly, IT IS HEREBY ORDERED that:

1. Defendants' motion for an extension of time (ECF No. 40) is GRANTED and the discovery deadline is continued to February 13, 2026; and

2. Within twenty-one days of the service of this order, plaintiff shall file a response to defendants' motion to compel.

DATED: January 26, 2026

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE