UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ESMELING L. BAHENA, Plaintiff, v. S. CORVERA, Defendant.	No. 2:23-cv-2580-CKD P ORDER

Plaintiff, a state prisoner, proceeds pro se and in forma pauperis with this civil rights action brought under 42 U.S.C. § 1983. On April 30, 2025, the undersigned granted plaintiff's unopposed motion to modify the scheduling order and granted plaintiff an extension of time up to and including June 30, 2025, to serve responses to defendant's discovery requests. (ECF No. 27.) On May 12, 2025, plaintiff's subsequent motion seeking an extension of time for the same purpose was filed on the docket. (ECF No. 28.) Defendant opposes the subsequent motion, stating plaintiff should first attempt to provide discovery responses by the current deadline[1] and then seek an additional continuance if is unable to do so. (ECF No. 30.)

[1] Defendant's response to the present motion for an extension of time incorrectly states "Plaintiff's current deadline to respond to Defendant's discovery is July 21, 2025." (See ECF No. 30 at 2.) The current deadline for plaintiff to respond to defendant's discovery is June 30, 2025. (See ECF No. 27 at 1.) The July 21, 2025, deadline is for any motions necessary to compel discovery. (See id. at 2.)

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

It appears plaintiff signed and constructively filed the subsequent motion for an extension of time prior to his receipt of the recent order resetting the deadlines for this case.

Accordingly, IT IS HEREBY ORDERED that plaintiff's subsequent motion for an extension of time to serve responses to defendant's discovery requests (ECF No. 28) is DENIED without prejudice as moot.

Dated: June 3, 2025

CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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