UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ARVELLO L. TUFONO, Plaintiff, v. AMANDEEP DHILLION, et al., Defendants.	No. 2:23-cv-2691 DAD SCR P ORDER

Plaintiff is a county inmate proceeding pro se with a civil rights action under 42 U.S.C. §1983. On August 12, 2024, defendants filed a motion for summary judgment. (ECF No. 26.) Defendants contend plaintiff failed to exhaust his administrative remedies prior to filing this suit. Defendants also filed a motion to stay discovery, except discovery related to the issue of exhaustion. (ECF No. 27.) In an order filed October 15, this court granted the stay and ordered plaintiff to inform the court within twenty-one days whether he wished to propound discovery on the issue of exhaustion or whether he does not seek discovery to oppose defendants' motion for summary judgment. Twenty-one days have passed and plaintiff has not responded to the October 15 order. Based on plaintiff's non-response, this court will not permit discovery on the issue of exhaustion at this time. Plaintiff will be ordered to file an opposition to defendants' motion for summary judgment.

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For the foregoing reasons, IT IS HEREBY ORDERED that within **thirty days** of the date of this order, plaintiff shall file an opposition to defendants' motion for summary judgment. Defendants' reply is due fourteen days thereafter.

Dated: November 22, 2024

SEAN C. RIORDAN
UNITED STATES MAGISTRATE JUDGE