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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

BARRY NORTHCROSS PATTERSON,)
)
Plaintiff,)
)
vs.)
)
CHARLES L. RYAN, *et al.*,)
)
Defendants.)
_____)

No. CIV 05-1159-PHX-RCB
O R D E R

Currently pending before the court is a "Motion for Clarification and if Needed Notice of Appeal" filed by plaintiff *pro se* Barry Northcross Patterson (Doc. 128). Plaintiff Patterson is seeking clarification as to how this lawsuit should proceed after Patterson v. Ryan, 2011 WL 399099 (D.Ariz. Aug. 26, 2011) ("Patterson I"). In Patterson I, this court granted the motion for partial dismissal by the remaining defendants, Broderick and Mason. One claim now remains. That claim is in Count I of the Second Amended Complaint wherein plaintiff alleges that those two defendants violated his free exercise rights under the First Amendment.

1 Defendants respond by "request[ing] that the Court . . .
2 enter[] a revised scheduling order setting a new dispositive motion
3 deadline in no less than 60 days." Resp. (Doc. 129) at 2:17-19.
4 Because a revised schedule is warranted, the court hereby ORDERS
5 that:

6 (1) plaintiff's "Motion for Clarification and if Needed Notice
7 of Appeal" (Doc. 128) is GRANTED to the extent he is seeking
8 clarification, but DENIED as moot insofar as he is seeking leave to
9 file a Notice of Appeal;

10 (2) any party may file a dispositive motion directed to the
11 one remaining claim sixty (60) days from the date of entry of this
12 order; and

13 (3) any responses or replies thereto shall be filed and served
14 in conformity with all applicable rules and law, including LRCiv
15 7.2(c)¹ and (d)²; and to the extent any party moves for summary
16 . . .

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¹ LRCiv 7.2(c) reads as follows:

The opposing party shall, unless otherwise ordered by the Court and except as otherwise provided by Rule 56 of the Federal Rules of Civil Procedure, and Rule 12.1, 54.2(b), and 56.1, Local Rules of Civil Procedure, have fourteen (14) days after service in a civil or criminal case within which to serve and file a responsive memorandum.


² LRCiv 7.2(d) states:

The moving party, unless otherwise ordered by the Court, shall have seven (7) days after service of the responsive memorandum to file a reply memorandum if that party so desires.

1 judgment, they must also comply with all pertinent rules, including
2 LRCiv 56.1.

3 DATED this 25th day of October, 2011.

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Robert C. Broomfield
Senior United States District Judge

Copies to plaintiff *pro se* and counsel of record