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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Sherman Terrell Pruitt,

10 Plaintiff,

11 v.

12 Charles L. Ryan, et al.,

13 Defendants.
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No. CV-13-02357-PHX-DJH (ESW)

ORDER

15 The Court has considered Defendant Ryan's Motion to Modify Scheduling Order
16 (Doc. 42), Defendant Ryan's Supplement to Motion to Modify Scheduling Order (Doc.
17 43), and Defendant Orson Anderson, M.D.'s Joinder (Doc. 45). No response has been
18 filed.

19 Defendants seek an extension of the discovery and dispositive motion deadlines
20 set forth in the Court's Scheduling Order (Doc. 24). Plaintiff filed a pro se civil rights
21 Complaint pursuant to 42 U.S.C. § 1983 on November 15, 2013 (Doc. 1). However, all
22 issues were not joined until April 15, 2015 (Docs. 21, 22, 23). Plaintiff alleges a
23 violation of his Eighth Amendment right to constitutionally adequate medical care. On
24 September 10, 2015, the Court ordered that Plaintiff execute a medical release and serve
25 an Initial Disclosure Statement (Doc. 35). Plaintiff now has done so. Defendants
26 acknowledge that they received these records by the middle of October. Nevertheless,
27 the delayed receipt of and need to analyze relevant discovery has necessitated
28 Defendants' pending Motion and Joinder.

1 Pursuant to LRCiv 7.2(c), an opposing party is required to serve and file a
2 responsive memorandum. If an unrepresented party fails to file a responsive
3 memorandum, his “non-compliance may be deemed . . . consent to the . . . granting of the
4 motion, and the court may dispose of the motion summarily.” LRCiv 7.2(i).

5 A district court has discretion to adopt local rules. . . Those rules have the ‘force of
6 law’.” *Hollingsworth v. Perry*, 558 U.S. 183 (2010) (citations omitted). Because the
7 Plaintiff has failed to respond timely to the Defendants’ Motion and Joinder, the Court
8 simply may summarily grant the Motion. However, the Court finds that Defendants’
9 Motion and Joinder are meritorious.

10 For good cause shown,

11 IT IS ORDERED granting Defendant Ryan’s Motion to Modify Scheduling Order
12 (Doc. 42) and Defendant Orson Anderson, M.D.’s Joinder (Doc. 45).

13 IT IS FURTHER ORDERED extending the discovery deadline to January 15,
14 2016 and the dispositive motion deadline to February 1, 2016.

15 Dated this 24th day of November, 2015.

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20 Honorable Eileen S. Willett
21 United States Magistrate Judge
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