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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JASON SAUNDERS,

Plaintiff,

v.

J. W. FAIRMAN, et al.,

Defendants.

CASE NO. 1:02-CV-05806-OWW-DLB PC

ORDER DENYING STAY OF
PROCEEDINGS AND MODIFYING
SCHEDULING ORDER

(DOC. 146)

Discovery cut-off date: June 1, 2011

Plaintiff Jason Saunders (“Plaintiff”) is a California state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. The Court had set a deadline of March 14, 2011 for the filing of any discovery requests. Order, Doc. 145. On March 10, 2011, Plaintiff filed a motion requesting a stay of the proceedings. Doc. 146. Plaintiff contends that his legal property has been confiscated yet again. Plaintiff contends that he is unable to comply with the Court’s order through no fault of his own.

The Court does not find good cause to stay these proceedings. A review of the Court docket indicates that Defendants’ motion for summary judgment has been pending adjudication since July 10, 2009. Discovery has yet to be completed in this action, as numerous modifications have been granted past the Court’s original discovery cut-off date of June 6, 2010. A stay of the proceedings is unnecessary, as Plaintiff has had time to conduct discovery, despite several occasions on which his legal property has been confiscated. However, the Court will modify the schedule to provide Plaintiff a final opportunity to complete discovery in this action.

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Accordingly, it is HEREBY ORDERED that the discovery cut-off date, including the filing of any motions to compel, is June 1, 2011. The responding party is to serve a response to the propounding party's discovery request within thirty (30) days from the date of service of the request. No further extensions of time or schedule modification regarding discovery will be granted.

IT IS SO ORDERED.

Dated: March 31, 2011

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE