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6	UNITED STATES DISTRICT COURT	
7	EASTERN DISTRICT OF CALIFORNIA	
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9	HAROLD WALKER,	1:05-cv-00709-GSA-PC
10 11	Plaintiff, v.	ORDER ADVISING PARTIES THAT DISCOVERY HAS NOT COMMENCED IN THIS ACTION
12	HUTCHINSON, et al.,	ORDER DENYING PLAINTIFF'S MOTION
13	Defendants.	FOR DISCOVERY AND GRANTING DEFENDANTS' MOTION FOR A PROTECTIVE ORDER
14		(Docs. 60, 68.)
15		/
16	Plaintiff Harold Walker ("plaintiff") is a former state prisoner proceeding pro se in this civi	
17	rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the complaint commencing this action or	
18	June 2, 2005. (Doc. 1.) This action now proceeds on the amended complaint filed by plaintiff or	
19	February 28, 2007, against defendants Hutchinson, Miranda, Hagea, Salgado, Sanoval, and Welc	

Plaintiff Harold Walker ("plaintiff") is a former state prisoner proceeding prose in this civil
rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the complaint commencing this action on
June 2, 2005. (Doc. 1.) This action now proceeds on the amended complaint filed by plaintiff on
February 28, 2007, against defendants Hutchinson, Miranda, Hagea, Salgado, Sanoval, and Welch
("Defendants").¹ (Doc. 28.) On November 24, 2008, the court directed the United States Marshal
to serve process upon Defendants. (Doc. 47.) On March 16, 2009, defendants Miranda, Sanoval and
Welch filed a motion to dismiss, which is now pending. (Doc. 58.) To date, none of the Defendants
has filed an Answer to the amended complaint. On March 18, 2009, plaintiff filed a motion for
discovery, requesting the court to compel Defendants to produce documents. (Doc. 60.) On April
14, 2009, defendants Miranda, Sanoval and Welch filed a motion for a protective order to stay
discovery pending the resolution of the motion to dismiss. (Doc. 68.)

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¹The court dismissed all other defendants on November 12, 2008. (Doc. 44.)

The parties are hereby advised that the time for discovery in this action has not commenced. The court shall establish a discovery schedule after the pending motion to dismiss has been resolved, by issuing a scheduling order which shall be served upon all parties to this action. Until then, the parties shall not pursue discovery in this action. Defendants may disregard any pending discovery requests which have been served upon them by plaintiff. Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for discovery is DENIED and defendants' motion for a protective order is GRANTED. IT IS SO ORDERED. Dated: <u>April 16, 2009</u> /s/ Gary S. Austin UNITED STATES MAGISTRATE JUDGE