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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

RICHARD A. OCHOTORENA,  
Plaintiff,

v.

K. CURTISS, et al.,  
Defendants.

CASE NO. 1:05-cv-01524-LJO-DLB PC  
ORDER SETTING NEW TRIAL DATE

Jury Trial: February 5, 2013 at 8:30 a.m. in  
Courtroom 4 (LJO)

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Plaintiff Richard A. Ochotorena (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation. Plaintiff is proceeding pro se and in forma pauperis in this civil action pursuant to 42 U.S.C. § 1983. This case is proceeding against Defendants Duncan, Fambrough, Curtiss, Kalkis, Lane, and Rodriquez for excessive force in violation of the Eighth Amendment. This matter is currently set for jury trial on January 15, 2013 before the undersigned.

Due to the Court’s schedule (in that an older case with priority is proceeding to jury trial creating a trial conflict), the Court must set another date for jury trial in this action. Accordingly, it is HEREBY ORDERED that jury trial for this action is set for February 5, 2013 at 8:30 a.m. in Courtroom 4 before the undersigned.

IT IS SO ORDERED.

**Dated:** November 30, 2012

/s/ Lawrence J. O’Neill  
UNITED STATES DISTRICT JUDGE