

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIE LEE CARPENTER,
Plaintiff,
v.

W. J. SULLIVAN, et al.,
Defendants.

CASE NO. 1:07-cv-00114-AWI-GBC PC

ORDER GRANTING DEFENDANT’S MOTION
TO EXTEND DEADLINES FOR DISCOVERY
AND DISPOSITIVE MOTIONS
(Doc. 96)

ORDER DENYING AS MOOT PLAINTIFF’S
MOTION TO EXTEND DISCOVERY
(Doc. 99)

ORDER EXTENDING APPLICATION OF
DISCOVERY AND SCHEDULING ORDER
TO DEFENDANT MARTINEZ

Unenumerated 12(b) Deadline - 06/02/2011
Discovery Cut-Off Date - 07/15/2011
Dispositive Motion Deadline - 10/12/2011

Plaintiff Willie Lee Carpenter, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 22, 2007. This action is proceeding on Plaintiff’s first amended complaint, filed September 17, 2008, against Defendants Pfeil, Gonzales, Barajas, Ortiz, Litton, Salazar, and Martinez.¹

On January 7, 2011, Defendants filed a motion to vacate deadlines to complete discovery and file dispositive motions which the Court will construe as a motion for extension. (Doc. 96). On January 24, 2011, Plaintiff motioned for an additional thirty day extension of time to complete discovery. The original deadline for the completion of discovery was January 17, 2011,

¹ Defendants Sullivan, Evans and Carrasco were dismissed March 28, 2011. (Doc. 110).

1 which was also the deadline to motion for extensions regarding discovery. (Doc. 73). Since
2 good cause has been shown, the Court grants Defendant's motion to extend time for discovery
3 and will also extend the deadline to file dispositive motions (Doc. 96) and Defendant's motion
4 for extension (Doc. 99) is denied as moot.

5 On April 25, 2011, Defendant Martinez filed an answer to Plaintiff's amended complaint.
6 Accordingly, application of the discovery and scheduling order filed May 17, 2010, is HEREBY
7 EXTENDED to Defendant Martinez, and the order is amended to extend the deadlines as
8 follows:

- 9 1. The parties are advised that the deadline for the completion of all discovery, including
10 filing motions to compel, shall be 07/15/2011;
- 11 2. The deadline for filing an unenumerated Rule 12(b) motion is extended to 6/2/2011;
- 12 3. The deadline for filing pre-trial dispositive motions shall be 10/12/2011;
- 13 4. **A request for an extension of a deadline set in this order must be filed on or**
14 **before the expiration of the deadline in question; and**
- 15 5. **Extensions of time will only be granted on a showing of good cause.**

16
17 IT IS SO ORDERED.

18 Dated: May 2, 2011

19 
20 UNITED STATES MAGISTRATE JUDGE