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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

STEVEN M. PALMER, CASE NO. 1:07-cv-00148 LJO DLB PC
Plaintiff, _____ ORDER
vs.
CROTTY, et al.,
Defendants.

Plaintiff Steven M. Palmer (“plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

Defendant Crotty has not yet filed an answer to the amended complaint.¹ The parties are advised that the deadlines set forth in the Discovery and Scheduling Order filed September 4, 2009 apply only to defendant Tate.

IT IS SO ORDERED.

Dated: September 8, 2009 /s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

¹ Defendant Crotty filed a motion to dismiss on May 26, 2009. (Doc. 34.)