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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SHAULTON J. MITCHELL,

Plaintiff,

v.

HERNANDEZ, et al.,

Defendants.

CASE NO. 1:07-CV-01322-AWI-DLB PC

ORDER GRANTING DEFENDANTS’
MOTION TO MODIFY SCHEDULING
ORDER (DOC. 77)

Dispositive motion deadline: 02/28/2011

Plaintiff Shaulton J. Mitchell (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation (“CDCR”). Plaintiff is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendants Bustos, Compelube, Gutierrez, Jung-Hernandez, Sloss, and Aguayo.¹ Pending before the Court is Defendants’ motion to modify the scheduling order. Defendants request that the dispositive motion deadline, currently set for January 31, 2011, be extended to February 28, 2011.

Defendants’ counsel contends that he needs additional time due to numerous matters with pressing deadlines that could not be moved. Defs.’ Mot., Jeffrey Steele Decl., Doc. 77. Modification of the scheduling order requires a showing of good cause. Fed. R. Civ. P. 16(b)(4). The Court finds sufficient good cause has been presented by Defendants.

¹ Defendant Aguayo has not been served and has not appeared in this action.

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Accordingly, it is HEREBY ORDERED that Defendants' motion for modification of the scheduling order, filed January 27, 2011, is GRANTED. The dispositive motion deadline is February 28, 2011.

IT IS SO ORDERED.

Dated: February 1, 2011

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE