UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MAXIMILIAN MONCLOVA-CHAVEZ, CASE NO. 1:08-cv-00076-AWI-BAM

Plaintiff, ORDER STRIKING MOTIONS

v. (ECF Nos. 131, 132)

ERIC McEACHERN, et al.,

Defendants.

Plaintiff Maximilian Monclova-Chavez ("Plaintiff") is a federal prisoner proceeding in this civil action pursuant to <u>Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics</u>, 403 U.S. 388, 91 S.Ct. 1999 (1971), which provides a remedy for violation of civil rights by federal actors. This action is proceeding on the complaint, filed January 15, 2008, against Defendants McEachern, Miller, White, and Tincher for excessive force in violation of the Eighth Amendment.

A telephonic trial confirmation hearing is set in this action for January 7, 2013, at 1:30 p.m. before the Honorable Anthony W. Ishii. At the prior telephonic conference, the parties were informed that the deadlines to file motions in limine would be set at a later date. On November 26, 2012, Plaintiff filed a motion to preclude improper impeachment and character evidence at trial and a motion on admission of prior testimony with limiting instructions. (ECF Nos. 131, 132.) Once the parties file their joint pretrial statement, a pretrial order shall issue establishing the deadlines to file motions in limine and oppositions to the motions in limine. Accordingly, Plaintiff's motions,

¹On December 8, 2010, default was entered against Defendant McEachern. (ECF Nos. 71, 72.)

1	filed November 26, 2012, are HEREBY STRICKEN FROM THE RECORD.		
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3	IT IS SO ORDERED.		
4	Dated: _	November 27, 2012	/s/ Barbara A. McAuliffe UNITED STATES MAGISTRATE JUDGE
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