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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JOHN RAY DYNES,

Plaintiff,

v.

C/O JUAN MEDINA, et al.,

Defendants.

CASE NO. 1:08-cv-00136-LJO-GSA PC

ORDER DENYING PLAINTIFF’S MOTION
FOR EXTENSION OF ALL SCHEDULING
ORDER DEADLINES TO AUGUST 1, 2009

(Doc. 29)

ORDER DIRECTING CLERK’S OFFICE TO
SEND COPY OF DOCKET TO PLAINTIFF

Plaintiff John Ray Dynes (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On September 24, 2008, the Court issued a scheduling setting the deadline to amend the pleadings for March 18, 2009, the discovery deadline for May 18, 2009, and the pretrial dispositive motion deadline for July 20, 2009. On January 26, 2009, Plaintiff filed a motion seeking an extension of all deadlines to August 1, 2009, due to his incarceration and problems locating his legal work following separation from his wife.

Modification of the pretrial scheduling order requires a showing of good cause. Fed. R. Civ. P. 16(b). “The schedule may be modified ‘if it cannot reasonably be met despite the diligence of the party seeking the extension.’” Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002) (quoting Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992)). “If the party seeking the modification ‘was not diligent, the inquiry should end’ and the motion to modify should not be granted.” Id.

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1 Plaintiff's general request for an extension of the deadlines is insufficient. The only deadline
2 that expires soon is the amended pleadings deadline, and Plaintiff has not demonstrated any need for
3 an extension of that deadline or due diligence.

4 Accordingly, Plaintiff's motion for an extension of the scheduling order deadlines to August
5 1, 2009, is HEREBY DENIED. The Clerk's Office is DIRECTED to send Plaintiff a copy of the
6 docket in this case.

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8 IT IS SO ORDERED.

9 Dated: February 19, 2009

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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