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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

MICHAEL D. HARRISON,  
Plaintiff,  
v.  
D. ADAMS, et al.,  
Defendants.

Case No. 1:08-cv-01065-AWI-MJS  
ORDER GRANTING PLAINTIFF'S  
REQUEST TO AMEND THE INITIAL  
SCHEDULING ORDER  
AND  
DENYING PLAINTIFF'S REQUEST FOR  
SERVICE DOCUMENTS AND FOR  
SERVICE TO BE COMPLETED ON  
ADDITIONAL DEFENDANTS  
(ECF No. 165)

Plaintiff Michael D. Harrison ("Plaintiff") is a prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983.

The Court screened Plaintiff's Fifth Amended Complaint and found that it stated cognizable Eighth Amendment claims against Defendants Moore, Jones, Burns, Kim, and Dava. (ECF No. 75). These defendants were served, and they have filed a responsive pleading. (ECF Nos. 87, 93.) The Court entered a discovery and scheduling order at the time the responsive pleading was filed. (ECF No. 94.)

Plaintiff was allowed to file an amended pleading to include additional claims and defendants. (ECF No. 136.) After several amended pleadings were rejected by the Court, Plaintiff filed an Eighth Amended Complaint, and the Court found that it stated

1 cognizable Eighth Amendment medical care claims against Defendants Jones, Moore,  
2 Burns, Urbano, Campos, Parsons, M. Gonzalez, C. Gonzalez, Cisneros, Zakari, Roth,  
3 Kim, Dava, Galvan, Bastianon, Casio, Vicente, Johnson, Raygoza, O'Neal, Coronado,  
4 Edmonds, and Tumayo. (ECF Nos. 154, 160.) On August 30, 2013, the Court ordered  
5 the United States Marshall to serve the individuals who had not previously been served  
6 in the action. (ECF No. 164.) The Marshall is currently in the process of completing  
7 service on these individuals and is to complete service by January 2, 2014. (Id.)

8 On October 23, 2013, Plaintiff filed a motion requesting that the Court provide  
9 him with service documents, serve the un-served defendants, and issue a new  
10 scheduling order. (ECF No. 165.) Plaintiff's motion is now before the Court. Local Rule  
11 230(f)

12 Plaintiff's request for service documents and that the Court initiate service on the  
13 un-served individuals is denied as moot since the Court previously provided service  
14 documents and has already ordered the United States Marshall to serve the additional  
15 defendants. The Marshall is currently attempting to serve these defendants.

16 Plaintiff's request for a new discovery order should be granted. In light of the fact  
17 that Plaintiff has filed an amended pleading and is awaiting service on additional  
18 defendants, there is good cause for additional time for discovery in this matter. The  
19 Court will re-open discovery and extend the dispositive motion deadline.

20 Accordingly, the Court hereby ORDERS as follows:

- 21 1. Plaintiff's requests that the Court provide him with additional service  
22 documents and direct the United States Marshall to serve additional  
23 defendants are DENIED as moot;
- 24 2. Plaintiff's request to extend the discovery and dispositive motion deadlines is  
25 GRANTED;
  - 26 a. The deadline for completing all discovery, including filing motions to  
27 compel, shall be July 18, 2014;
  - 28 b. The deadline for filing pre-trial dispositive motions shall be September

1 18, 2014;

2 3. A request for an extension of a deadline set forth in this order must be filed on  
3 or before the expiration of the deadline in question; and

4 4. Extensions of time shall only be granted upon a showing of good cause.

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6 IT IS SO ORDERED.

7 Dated: November 26, 2013

8 /s/ Michael J. Seng  
9 UNITED STATES MAGISTRATE JUDGE  
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