

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL D. HARRISON,

Plaintiff,

v.

T. MOORE, et al.,

Defendants.

Case No. 1:08-cv-1065-AWI-MJS (PC)

**ORDER DENYING PLAINTIFF'S MOTION
FOR A SCHEDULING ORDER AND FOR
RULING ON MOTION FOR SUMMARY
JUDGMENT (ECF No. 242)**

Plaintiff is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 28 U.S.C. § 1983. The action proceeds on Plaintiff's Eighth Amendment claims against numerous defendants. (ECF No. 160.)

On June 1, 2015, Plaintiff requested the Court to rule on Defendants' motion for summary judgment and to set a new scheduling order to "allow this matter to proceed." (ECF No. 242.)

The Magistrate Judge issued findings and recommendations on the motion for summary judgment on June 17, 2015 (ECF No. 247), and the District Judge will review

1 them in due course. It is not appropriate to set the case for trial until this motion has
2 been resolved.

3 Accordingly, Plaintiff's motion for a scheduling order and for rulling on motion for
4 summary judgment (ECF No. 242) is DENIED.
5

6
7 IT IS SO ORDERED.

8 Dated: June 19, 2015

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28