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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

<p>SERGIO ALEJANDRO GÁMEZ,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>F. GONZALEZ, et al.,</p> <p style="text-align: right;">Defendants.</p>	<p>Case No.08cv1113 MJL (PCL)</p> <p>ORDER SETTING BRIEFING SCHEDULE ON PLAINTIFF’S MOTION TO COMPEL DISCOVERY; and</p> <p>ORDER SETTING MOTION HEARING</p> <p>(Doc. No. 35)</p>
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Plaintiff Sergio Alejandro Gámez (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* with an action filed pursuant to 42 U.S.C. § 1983. (See Doc. No. 13.) On June 29, 2010, Plaintiff filed a Request for Hearing Date seeking a hearing date for his Motion to Compel Discovery and a Motion for Appointment of Counsel. (Doc. No. 35.) Thereafter, on July 13, 2010, the Court held a telephonic Status Conference to determine the status of the case and discovery proceedings.

After consulting the parties and attorneys of record, and being advised of the status of the case, Plaintiff’s Request for a Hearing Date for a Motion to Compel and Motion for Appointment of Counsel if GRANTED. The Court determines the date of August 10, 2010 is appropriate for a telephonic hearing on a properly filed Motion to Compel Discovery and a properly filed Motion for Appointment of Counsel. The Court Orders the parties to appear for a telephonic **Motion Hearing** on **August 10, 2010 at 10:30 a.m.** Defense counsel shall initiate the conference call to the Chambers’ Conference Line at (760) 353-4227.

1 Plaintiff shall file any Motions on or before July 21, 2010. If Defendants oppose
2 Plaintiff's Motions, any opposition to the granting of the Motions shall be served and filed
3 separately by the responding party on or before August 4, 2010.

4 Moreover, a responding party who has no opposition to the granting of any Motions shall
5 serve and file a statement to that effect, specifically designating the motion in question. See L.
6 R. 78-230(1). The parties should note that failure of the responding party to file an opposition or
7 to file a statement of non opposition may be deemed a waiver of any opposition to the granting
8 of the motion and may result in the imposition of sanctions. Id.

9 Plaintiff may serve and file a Reply to any Opposition on or before August 9, 2010. Id.

10 DATED: July 14, 2010



11
12 U.S. Magistrate Judge
13 United States District Court

14 cc: The Honorable M. James Lorenz
15 All Parties and Counsel of Record
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