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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

WHITTIER BUCHANAN,

CASE NO. 1:08-cv-01174-AWI-GSA PC

Plaintiff,

ORDER NOTIFYING PARTIES PLAINTIFF’S
MOTION TO COMPEL IS NOT SET FOR A
HEARING

v.

A. SANTOS, et al.,

(Docs. 29 and 30)

Defendants.

Plaintiff Whittier Buchanan, a state prisoner proceeding pro se and in forma pauperis, filed a motion to compel on December 10, 2009, and indicated on the face page that the motion is set for hearing on January 26, 2010, at 9:00 a.m. Defendants reproduced that hearing date in their opposition.

Pursuant to Local Rule 78-230(1), all motions are resolved without oral argument unless otherwise ordered by the court. If the Court deems a hearing necessary after the motion has been deemed submitted, it will set a date. Absent the issuance of such an order, Plaintiff’s motion will be resolved on the written record. This order serves as notice to the parties that Plaintiff’s motion to compel is not set for a hearing on January 26, 2010, at 9:00 a.m. or on any other date.

IT IS SO ORDERED.

Dated: January 4, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE