

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

DANNY JAMES COHEA,

Plaintiff,

v.

D. ADAMS, et al.,

Defendants.

CASE NO. 1:08-cv-01186-LJO-SMS PC

ORDER GRANTING DEFENDANTS’
MOTION TO AMEND SCHEDULING ORDER

(ECF No. 62)

NINETY-DAY DEADLINE

Plaintiff Danny James Cohea, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on August 13, 2008. On May 31, 2011, Defendants Adams, Jones, and Vela-Lopez filed a motion to amend the scheduling order to extend time to file dispositive motions and Defendant Kush filed an answer to the complaint. Additionally, Defendants notified the Court that a subpoena was served on an L. Hicenbothem, however this individual did not work at Corcoran during the time period alleged in the complaint. By separate order the Court will require Plaintiff to provide additional information identifying the defendant to be served so that a fourth attempt can be made to effect service.

On January 31, 2011, an order issued modifying the scheduling order and dispositive motions were due by May 31, 2011. Currently, there is still one defendant to be identified and served. Since an answer was filed on may 31, 2011, scheduling order will issue setting additional dates for Defendant Kush. Therefore, Plaintiff will not suffer any prejudice from granting Defendants request.

Accordingly, good cause having been found, it is HEREBY ORDERED that Defendant’s motion to amend the scheduling order shall be GRANTED and Defendants Adams, Jones, and Vela-

1 Lopez shall have ninety (90) days of the date of service of this order to file dispositive motions.

2 IT IS SO ORDERED.

3 Dated: June 1, 2011

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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