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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

|                    |   |                           |
|--------------------|---|---------------------------|
| JOSHUA J. CANTU,   | ) | 1:09cv00177 AWI DLB PC    |
|                    | ) |                           |
| Plaintiff,         | ) | ORDER DENYING PLAINTIFF’S |
|                    | ) | MOTION TO COMPEL WITHOUT  |
| vs.                | ) | PREJUDICE                 |
|                    | ) |                           |
| M. GARCIA, et al., | ) | (Document 72)             |
|                    | ) |                           |
| Defendants.        | ) |                           |

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Plaintiff Joshua J. Cantu (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation (“CDCR”). Plaintiff is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. He filed a First Amended Complaint on July 26, 2010, and the Court found cognizable Eighth Amendment claims against Defendant M. Garcia and three Doe Defendants. Defendant Garcia filed an answer on December 20, 2011.

By separate order, the deadline to amend the pleadings and conduct discovery has been extended to April 15, 2013. Defendant has been ordered to respond to outstanding discovery.

On January 15, 2013, Plaintiff filed a motion to compel responses to a second set of Requests for Production served on October 14, 2012. According to the motion, Defendant responded to the requests on November 9, 2012. Defendant did not oppose the motion.

