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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JOSHUA J. CANTU,

Plaintiff,

vs.

M. GARCIA, et al.,

Defendants.

) 1:09cv00177 AWI DLB PC
)
)
) ORDER DIRECTING PARTIES TO
) FILE STATUS REPORT
) REGARDING DISCOVERY
)
) TWENTY-ONE DAY DEADLINE
)
)

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.

On September 6, 2011, the Court found a cognizable Eighth Amendment claim against Defendant Garcia. Defendant Garcia filed an answer on December 20, 2011, and the Court issued a Discovery and Scheduling Order on January 3, 2012.

On May 20, 2013, the Court granted Plaintiff leave to file a Second Amended Complaint identifying three Doe Defendants (Defendants Gorgee, Baptiste and Williams). The Court ordered service for the three new Defendants on July 25, 2013.

1 Defendants Garcia and Defendant Gorgee filed an answer to the Second Amended
2 Complaint on February 24, 2014. There is no indication that Defendants Baptiste or Williams
3 have been served.

4 The dates in the January 3, 2012, discovery order have now expired.

5 The Court notes that discovery had been opened for almost five months at the time
6 Plaintiff filed the Second Amended Complaint. The Court also notes that all Defendants were
7 part of the same incident.

8 Therefore, the parties are DIRECTED to file a status report within twenty-one (21) days.
9 The status report shall address what, if any, additional discovery is necessary.
10

11 IT IS SO ORDERED.

12 Dated: March 5, 2014

13 /s/ Dennis L. Beck
14 UNITED STATES MAGISTRATE JUDGE