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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

LOUIS OLIVEREZ, JR.,

Plaintiff,

v.

BEN ALBITRE, et al.,

Defendants.

CASE NO. 1:09-cv-00352-LJO-SKO PC

ORDER DENYING MOTION FOR TRIAL
DATE AS PREMATURE

(Doc. 45)

Plaintiff Louis Oliverez, Jr. is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On April 13, 2012, Plaintiff filed a motion seeking a trial date.

Defendants’ motion for summary judgment is under submission and it will be addressed in due course. Local Rule 230(1). If Defendants’ motion is denied in whole or in part, a trial date will be set at that time. Until then Plaintiff’s request is premature and his motion is HEREBY DENIED on that ground.

IT IS SO ORDERED.

Dated: April 18, 2012

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE