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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALLEN B. WILLIAMS,

Plaintiff,

v.

MATTHEW CATE, et al.,

Defendants.

Case No. 1:09-cv-00468 OWW JLT (PC)

ORDER DENYING PLAINTIFF’S MOTION
TO COMPEL DISCOVERY

(Doc. 53)

_____ /

Plaintiff is a state prisoner proceeding pro se an *in forma pauperis* with a civil rights action pursuant to 42 U.S.C. § 1983. On July 1, 2010, Plaintiff filed a motion to compel discovery. (Doc. 53). In his motion, Plaintiff seeks to compel Defendants to respond to his propounded interrogatories and to produce documents and information. (Id. at 1-3.) The Court, however, has already addressed this issue. By order filed June 29, 2010, the Court granted Defendants’ motion for an extension of time to answer Plaintiff’s discovery requests. (Doc. 51.) Pursuant to that order, Defendants were to respond to Plaintiff’s discovery requests within thirty days of the Court’s ruling on Defendants’ June 22, 2010 motion to dismiss. (Id.)

On February 9, 2011, the Court issued findings and recommendations regarding the motion to dismiss. (Doc. 63.) Defendants will have thirty days from the date of the order adopting the findings and recommendations, should that occur, to respond to Plaintiff’s discovery requests. If, at that time, Plaintiff remains dissatisfied with Defendants’ responses to his discovery requests, the Court will allow

1 Plaintiff an opportunity to file another motion to compel.

2 Accordingly, it is **HEREBY ORDERED** that Plaintiff's July 1, 2010, motion to compel (Doc.
3 53) is **DENIED** as moot.

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5 IT IS SO ORDERED.

6 Dated: February 10, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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