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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTHONY CRAIG HUCKABEE,
Plaintiff,
v.
MEDICAL STAFF AT CSATF, et al.,
Defendants.

Case No. 1:09-cv-00749-DAD-BAM (PC)
**ORDER REGARDING DEFENDANTS’
REQUEST FOR CLARIFICATION OF
COURT’S ORDER VACATING JUNE 20,
2017 DISCOVERY AND SCHEDULING
ORDER AND EXTENDING APPLICATION
OF JUNE 16, 2017 DISCOVERY AND
SCHEDULING ORDER TO DEFENDANT
JEFFREYS**
(ECF No. 222)

Plaintiff Anthony Craig Huckabee (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s fifth amended complaint against Defendants Wu, McGuinness, Enenmoh, Jeffreys, and Jimenez in their individual capacities for deliberate indifference to serious medical needs in violation of the Eighth Amendment. (ECF No. 195, 199.)

On June 15, 2017, Defendant McGuinness filed an answer to the fifth amended complaint. (ECF No. 212.) On June 16, 2017, the Court issued a discovery and scheduling order setting forth discovery procedures and filing deadlines. (ECF No. 216.) On June 19, 2017, Defendants Enenmoh, Jimenez, and Wu filed their answer to the fifth amended complaint, (ECF No. 217), and Defendant Jeffreys filed a motion to dismiss, (ECF No. 218). The Court issued a second discovery and scheduling order on June 20, 2017, which also set forth discovery procedures and

1 filing deadlines. (ECF No. 220.) On June 21, 2017, the Court issued an order vacating the June
2 20, 2017 discovery and scheduling order and extending application of the June 16, 2017
3 discovery and scheduling order to Defendants Enenmoh, Jimenez, Wu, and Jeffreys. (ECF No.
4 221.)

5 Currently before the Court is Defendants' request for clarification regarding the Court's
6 June 21, 2017 order with respect to Defendant Jeffreys. (ECF No. 222.) Defendant Jeffreys
7 states that because she has filed a motion to dismiss, she respectfully requests that discovery
8 remain closed as to her until the Court issues a ruling on her motion to dismiss.

9 Pursuant to Federal Rule of Civil Procedure 60(a), Defendant Jeffreys' request for
10 clarification is GRANTED. The Court's Discovery and Scheduling Order is intended to apply
11 solely to those defendants that have filed an answer in this action. In the event that Defendant
12 Jeffreys' pending motion to dismiss is denied, the Court will issue a separate order concerning the
13 discovery deadlines applicable to Defendant Jeffreys.

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15 IT IS SO ORDERED.

16 Dated: July 7, 2017

17 /s/ Barbara A. McAuliffe
18 UNITED STATES MAGISTRATE JUDGE
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