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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DONTE ROLANDO HARRIS,

Plaintiff,

v.

H.A. RIOS, et al.,

Defendants.

CASE NO. 1:09-cv-00781-MJS (PC)

**ORDER DENYING MOTION TO
ADVANCE TRIAL DATE**

(ECF No. 145)

Plaintiff is a federal prisoner proceeding pro se in this civil rights action filed April 27, 2009 pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). The action proceeds on Plaintiff's First Amendment claim against Defendants Gonzaga, Cobb, Zaragoza, and Valero for delay in delivery of incoming seized mail; his First Amendment claim against Defendant Cobb for interception and seizure of outgoing mail; and his Fifth Amendment due process claim against Defendants Estrada, Cobb, Valero, and Zaragoza for failing to provide notice his mail was seized. Trial is set for August 20, 2015.

Before the Court is Plaintiff's July 24, 2015 motion to advance the trial date. (ECF No. 145.) Prior to Plaintiff's motion being filed, Defendants peremptorily objected to any change in the trial date due to difficulties inherent in coordinating the schedules of the five Defendants and their attorney. (ECF No. 142.)

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The Court is sympathetic to Plaintiff's desire to expeditiously bring this matter to trial. However, the trial date is presently less than a month away, and the Court's calendar is such that it cannot accommodate an earlier trial date.

Accordingly, Plaintiff's motion to advance the trial date is HEREBY DENIED.

IT IS SO ORDERED.

Dated: July 26, 2015

1st Michael J. Seng
UNITED STATES MAGISTRATE JUDGE