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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FRANCISCO GIL,

Plaintiff,

v.

JAMES A. YATES, et al.,

Defendants.

CASE NO. 1:09-cv-00917-GBC (PC)

ORDER FINDING PLAINTIFF’S MOTION TO
CANCEL DEPOSITION MOOT FOR REVIEW

Doc. 55

ORDER GRANTING PLAINTIFF’S MOTION
TO EXTEND DISCOVERY DEADLINE

Docs. 49, 52, 54, 57

REVISED DISCOVERY DEADLINE:
NOVEMBER 14, 2012

REVISED DISPOSITIVE MOTION
/ DEADLINE: JANUARY 24, 2013

On May 26, 2009, Plaintiff, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983. Doc. 1. On January 30, 2012, the Court issued a discovery and scheduling order, setting a discovery deadline of September 30, 2012, and a dispositive motion deadline of December 10, 2012. Doc. 51. Plaintiff has filed several motions to extend the discovery deadline. Docs. 49, 52, 54, 57. On April 20, 2012, Defendant filed a statement of non-opposition to extending the discovery deadline to November 14, 2012, with the caveat that Plaintiff appear for his deposition scheduled for June 28, 2012. Doc. 53. On May 10, 2012, Plaintiff filed a motion to cancel his deposition, since he is residing in Mexico. Doc. 55. Defendant did not respond to Plaintiff’s motion to cancel his deposition. This matter is deem submitted pursuant to Local Rule 230(l).

1 Since the date of Plaintiff's deposition has passed and Defendant did not file a response to
2 Plaintiff's motion to cancel his deposition, the Court finds that Plaintiff's motion to cancel his
3 deposition scheduled for June 28, 2012 is MOOT for review.

4 Plaintiff's motions to extend discovery deadline are GRANTED. The revised discovery
5 deadline is November 14, 2012. Since the Court is extending the discovery deadline, the Court finds
6 it necessary to extend the dispositive motion deadline. The revised dispositive motion deadline is
7 January 24, 2013.

8 Accordingly, it is HEREBY ORDERED that:

- 9 1. The Court finds that Plaintiff's motion to cancel his deposition scheduled for June
10 28, 2012 is MOOT for review;
- 11 2. Plaintiff's motions to extend the discovery deadline are GRANTED;
- 12 3. The revised discovery deadline is November 14, 2012; and
- 13 4. The revised dispositive motion deadline is January 24, 2013.

14
15 IT IS SO ORDERED.

16 Dated: August 10, 2012


UNITED STATES MAGISTRATE JUDGE