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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MICHAEL JOHN MCGLOTHIN,

Plaintiff,

v.

K. HARRINGTON, et al.,

Defendants.

CASE NO. 1:10-cv-00247-AWI-GBC (PC)

ORDER DENYING PLAINTIFF’S MOTION
FOR DEFAULT JUDGMENT AGAINST
DEFENDANT TORRES

Docs. 46, 47

ORDER APPLYING MAY 4, 2012
DISCOVERY AND SCHEDULING ORDER
TO DEFENDANT TORRES

_____/ Docs. 41, 43, 48

On February 16, 2010, Plaintiff, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983. On January 10, 2012, the Court directed the United States Marshal (“USM”) to serve Defendants Castro, Jose, Steen, and J. Torres. Doc. 31. On March 13, 2012, Defendants filed a motion for extension of time to file an answer to the complaint. Doc. 35. Counsel for Defendants submitted the motion on behalf of Defendants Castro, Jose, Steen, and J. Torres. *Id.* On March 14, 2012, the Court granted Defendants’ motion for extension of time to file an answer to the complaint. Doc. 39. On May 3, 2012, Defendants Castro, Jose, and Steen filed an answer to the complaint. Doc. 41. Defendant Torres was omitted from the answer. *Id.* On May 4, 2012, the Court issued a discovery and scheduling order. Doc. 43. On May 8, 2012 and June 4, 2012, Plaintiff filed a motion for default judgment against Defendant Torres. Docs. 46, 47. On June 11, 2012, Defendant Torres filed an answer to the complaint. Doc. 48.

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1 In the interest of judicial economy, the Court will apply the May 4, 2012 discovery and
2 scheduling order to Defendant Torres.

3 Accordingly, it is HEREBY ORDERED that:

- 4 1. The May 4, 2012 discovery and scheduling order applies to Defendant Torres; and
- 5 2. Plaintiff's motion for default judgment against Defendant Torres is DENIED.

6 IT IS SO ORDERED.

7 Dated: July 12, 2012


UNITED STATES MAGISTRATE JUDGE

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