1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 11 GARRISON S. JOHNSON, Case No.: 1:10-cv-00582-AWI-SAB (PC) ORDER SETTING NEW DEADLINE FOR 12 Plaintiff, EXHAUSTION MOTION FILING AND EXTENDING ALL OTHER DEADLINES SET 13 v. FORTH IN DISCOVERY AND SCHEDULING **ORDER** CDCR, et al., 14 [ECF Nos. 80, 83] 15 Defendants. 16 Plaintiff Garrison S. Johnson is appearing pro se in this civil rights action pursuant to 42 17 U.S.C. § 1983. 18 19 On March 7, 2014, Defendant Bostanjian filed an answer to the second amended complaint. 20 On April 28, 2014, the Court issued a discovery and scheduling order. 21 On July 2, 2014, Defendants Foston, Ozaeta, Biter, Grisson, Cate, and California Department 22 of Corrections and Rehabilitation filed an answer to the second amended complaint. 23 In light of Defendants' answer, the Court will amend the discovery and scheduling order to 24 extend the deadline to file an exhaustion motion from July 28, 2014, to August 28, 2014. This amended deadline extends to Defendant Bostanjian as well as all other defendants. All other 25 provisions and deadlines remain in full force and effect. 26 27 /// 28 ///

Accordingly,

IT IS HEREBY ORDERED that:

The discovery and scheduling order is AMENDED to extend the deadline to file an To state a claim for violation of RLUIPA, Plaintiff must allege facts plausibly showing that the challenged policy and the practices it engenders impose a substantial burden on the exercise of his religious beliefs; Plaintiff bears the initial burden of persuasion on this issue. *Hartmann v. California Dep't of Corr. & Rehab.*, 707 F.3d 1114, 1124-25 (9th Cir. 2013) (quotation marks omitted).

"Courts are expected to apply RLUIPA's standard with due deference to the experience and expertise of prison and jail administrators in establishing necessary regulations and procedures to maintain good order, security and discipline, consistent with consideration of costs and limited resources." *Hartmann v. California Dep't of Corr. & Rehab.*, 707 F.3d 1114, 1124-25 (9th Cir. 2013) (citing *Cutter v. Wilkinson*, 544 U.S. 709, 723, 125 S.Ct. 2325 (2003)) (internal quotation marks omitted).

- 1. exhaustion motion from July 28, 2014, to August 28, 2014; and
- 2. All other provisions and deadlines set forth in the Court's discovery and scheduling order issued April 28, 2014, remains in full force and effect.

IT IS SO ORDERED.

Dated: **July 3, 2014**

UNITED STATES MAGISTRATE JUDGE

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