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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ARVELL JAMES IRVING,

1:10-cv-00905-GSA-PC

Plaintiff,

ORDER DENYING PLAINTIFF'S
MOTION TO COMPEL DISCOVERY
(Doc. 5.)

v.

CALIF. DEPT. OF CORRECTIONS, et al.,

Defendants.

_____/

Plaintiff Arvell James Irving (“plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on May 20, 2010. (Doc. 1.) On June 10, 2010, plaintiff filed a motion for the court to compel defendants to relinquish medical records to plaintiff pursuant to his request. (Doc. 14.)

Plaintiff is hereby advised that the time for discovery in this action has not commenced. The court shall establish a discovery schedule at a later date by issuing a scheduling order which shall be served upon all parties to this action.¹ Until then, plaintiff may not pursue discovery in this

¹At this juncture, plaintiff has been instructed, by separate order, to either pay the filing fee for this action or submit an application to proceed in forma pauperis. (Doc. 3.) The court has not screened the complaint; defendants have not been served; and no party except plaintiff has appeared in this action. The court will issue a scheduling order at a later stage of the proceedings establishing dates for discovery, after an answer has been filed by one or more defendants.

1 action, and defendants may disregard any pending discovery requests which have been served upon
2 them by plaintiff.

3 Based on the foregoing, IT IS HEREBY ORDERED THAT plaintiff's motion to compel
4 discovery is DENIED.

5
6 IT IS SO ORDERED.

7 **Dated: June 13, 2010**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE