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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

KEVIN E. FIELDS,

Plaintiff,

v.

RONALD VOGEL,

Defendant.

CASE NO. 1:10-cv-01701-AWI-BAM PC

ORDER GRANTING DEFENDANT’S  
REQUEST TO EXTEND THE DEADLINE  
FOR DISPOSITIVE MOTIONS

Dispositive Motion Deadline:  
May 28, 2013

/ (ECF Nos. 22, 29)

Plaintiff Kevin Fields is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on the second amended complaint, filed January 19, 2012, against Defendant Vogel for retaliation in violation of the First Amendment.

On January 2, 2013, Plaintiff filed a motion to extend the January 8, 2013 discovery deadline an additional sixty (60) days. (ECF No. 38.) Plaintiff reported that he had served Defendant Vogel with a second request for interrogatories, admissions and production of documents on September 20, 2012, but Defendant Vogel had not responded. The Court granted Plaintiff’s request and directed Defendant Vogel to file a response to Plaintiff’s assertions. (ECF No. 39.) On February 6, 2013, defense counsel filed a response and reported having no record of receiving Plaintiff’s discovery requests. (ECF No. 40.) Counsel further reported that the parties met and conferred on January 20, 2013, and that Plaintiff indicated he would serve the discovery requests on Defendant. Defendant now requests that the Court extend the deadline for dispositive motions.

As the Court has extended the discovery deadline an additional sixty (60), the Court finds

1 it likewise appropriate to extend the dispositive motion deadline an additional sixty (60) days.

2 Accordingly, IT IS HEREBY ORDERED AS FOLLOWS:

- 3 1. Defendant's request for an extension of time is GRANTED;
- 4 2. The Scheduling Order issued on May 8, 2012 is AMENDED to extend the pre-trial  
5 dispositive motion deadline an additional sixty (60) days; and
- 6 3. The deadline for filing pre-trial dispositive motions SHALL BE May 28, 2013.

7 IT IS SO ORDERED.

8 **Dated: February 12, 2013**

**/s/ Barbara A. McAuliffe**  
UNITED STATES MAGISTRATE JUDGE

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