

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

KAJAUNA KENYATTA IRVIN,)	Case No.: 1:10-cv-01940-AWI-SAB (PC)
)	
Plaintiff,)	
)	ORDER DENYING PLAINTIFF’S REQUEST
v.)	FOR NON-TRANSFER TO CONDUCT
)	CONFERENCES OR DEPOSITION
JAMES A YATES, et al.,)	
)	[ECF No. 74]
Defendants.)	
)	
)	

Plaintiff Kajauna Kenyatta Irvin is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983 and the Religious Land Use and Institutionalized Persons Act (“RLUIPA”). The case was removed from state court on October 14, 2010.

On January 26, 2015, Plaintiff filed a request for non-transfer to conduct conferences or depositions. (ECF No. 74.)

Plaintiff indicates that he is presently confined at Richard J. Donovan Correctional Facility in San Diego, California. Plaintiff contends that he is expected to be transferred and re-housed soon. Plaintiff submits that it would place a severe hardship and hinder his access to the court, if Defendants are allowed to transfer Plaintiff for a deposition or conference.

A discovery and scheduling order just issued on January 5, 2015, setting, among others, a discovery deadline of September 5, 2015, and a dispositive motion deadline of November 16, 2015.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(ECF No. 68.) Because Plaintiff does not indicate that there is any deposition or conference date set at the present time, Plaintiff's motion is premature and must be denied.

IT IS SO ORDERED.

Dated: February 11, 2015


UNITED STATES MAGISTRATE JUDGE