1 2 3 4 5 UNITED STATES DISTRICT COURT 6 7 EASTERN DISTRICT OF CALIFORNIA 8 9 10 1:11-cv-00080-LJO-BAM PC CURTIS RENEE JACKSON, 11 ORDER DIRECTING PARTIES TO Plaintiff, 12 FILE STATUS REPORT REGARDING DISCOVERY 13 VS. ORDER DIRECTING DEFENDANTS TO 14 Y. A. YATES, et al., FILE RESPONSE TO PLAINTIFF'S MOTION FOR EXTENSION OF 15 Defendants. **DISCOVERY DEADLINES** 16 TWENTY-ONE DAY DEADLINE 17 Plaintiff Curtis Renee Jackson ("Plaintiff") is a prisoner in the custody of the California 18 Department of Corrections and Rehabilitation ("CDCR"). Plaintiff is proceeding pro se in this 19 20 civil rights action pursuant to 42 U.S.C. § 1983. 21 On May 30, 2012, the Court found a cognizable Eighth Amendment claim against 22 Defendant Mendez for excessive force and against Defendants Daley, Samonte, Nichols, Valdez, and Gonzales for failure to intervene. Defendants Gonzales, Mendez and Nichols answered 23 24 Plaintiff's second amended complaint on November 16, 2012, and the Court issued a Discovery 25 and Scheduling Order on November 27, 2012. 26 On January 15, 2014, a summons was returned unexecuted for Defendant Samonte. Following receipt of information from Plaintiff, the Court issued a second order directing the 27 28 United States Marshal to serve Defendant Samonte on March 6, 2014.

On March 10, 2014, Defendants Daley and Valdez filed an answer to the second amended complaint. There is no indication that Defendant Samonte has been served.

The deadline to complete discovery has expired. However, on February 27, 2014, Plaintiff filed a motion to extend the discovery deadline an additional thirty days, which would be limited to the filing of a motion to compel discovery from Defendant Gonzales. The deadline to file dispositive motions is April 25, 2014.

Defendants Daley and Valdez have recently appeared in this action, but are part of the same incident at issue in this action. Accordingly, the parties are DIRECTED to file a status report within twenty-one (21) days. The status report shall address what, if any, additional discovery is necessary. Additionally, Defendants are DIRECTED to file a response to Plaintiff's pending motion to extend the discovery deadline within twenty-one (21) days.

IT IS SO ORDERED.

Dated: March 11, 2014

/s/Barbara A. McAuliffe UNITED STATES MAGISTRATE JUDGE