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

DENELL CAVER,

Plaintiff,

v.

E. GOMEZ, et al.,

Defendants.

Case No. 1:11-cv-01025-AWI-SKO PC

ORDER VACATING PRETRIAL  
DISPOSITIVE MOTION DEADLINE AND  
REQUIRING PARTIES TO FILE STATUS  
REPORTS WITHIN THIRTY DAYS  
REGARDING AMENDMENT TO  
SCHEDULING ORDER

(Docs. 20 and 47)

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Plaintiff Denell Caver, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on June 20, 2011. This action is proceeding on Plaintiff's second amended complaint, filed on April 10, 2012, against Defendants Gomez, Stark, and Garcia for acting with deliberate indifference to Plaintiff's safety, in violation of the Eighth Amendment of the United States Constitution.

On April 2, 2013, Defendant Stark filed an answer, and the Court issued a scheduling order on April 23, 2013. Defendant Gomez subsequently filed an answer on July 12, 2013, and on July 16, 2013, the Court issued an order extending application of the scheduling order to him. Defendant Garcia has now filed an answer, and his recent appearance on December 23, 2013, necessitates some amendments to the scheduling order.

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Accordingly, it is HEREBY ORDERED that:

1. The pretrial dispositive motion deadline of March 3, 2014, is VACATED;<sup>1</sup> and
2. Within **thirty (30) days** from the date of service of this order, the parties shall file status reports addressing (1) how much time is needed to conduct discovery between Plaintiff and Defendant Garcia and (2) a proposed deadline to file pretrial dispositive motions.

IT IS SO ORDERED.

Dated: January 6, 2014

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Due to severe resource constraints, the Court declines to entertain separately-filed dispositive motions by Defendants. Therefore, the deadline must be modified to accommodate discovery between Plaintiff and Defendant Garcia, and to allow for one pretrial dispositive motion on behalf of all three defendants, should Defendants choose to file a motion.