

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

DURRELL ANTHONY PUCKETT,
Plaintiff,
v.
LEWIS, et al.,
Defendants.

Case No. 1:11-cv-01565 LJO-DLB PC

**ORDER VACATING JANUARY 7, 2014,
TRIAL DATE**

ORDER REOPENING MOTION PERIOD

Motions Filed By: February 7, 2014
Hearing: March 10, 2014, 1:30 p.m.
Courtroom 4 (LJO)

ORDER SETTING TELEPHONIC TRIAL SETTING HEARING

Date: March 21, 2014
Time: 8:00 a.m.
Courtroom 4 (LJO)

Plaintiff Durrell Anthony Puckett (“Plaintiff”) is proceeding pro se and in forma pauperis in this civil action pursuant to 42 U.S.C. § 1983. The action is proceeding on (1) an Eighth Amendment excessive force claim against Defendants Keener, Johnson, and Guajardo; and (2) a retaliation claim against Defendant Keener based on his ordering of the August 24, 2010, attack, and his alleged destruction of Plaintiff’s legal property.

On December 6, 2013, the Court held the mandatory Telephonic Trial Confirmation Hearing before the Honorable Lawrence J. O'Neill, United States District Court Judge. Mitchell Wrosch appeared telephonically on behalf of Defendants. Plaintiff did not appear.

In light of Plaintiff's recent transfer to the Department of State Hospitals and the circumstances surrounding his hospitalization, the Court finds it necessary to VACATE the January 7, 2014, trial date.

The Court will also REOPEN the period for filing motions. Any and all motions must be filed on or before February 7, 2014. Oppositions, if any, are due on or before February 28, 2014. If necessary, the Court will conduct a hearing on March 10, 2014, at 1:30 p.m. in Courtroom 4.

Finally, the Court sets a Telephonic Trial Setting hearing for March 21, 2014, at 8:00 a.m., in Courtroom 4. Counsel for Defendants is required to arrange for the participation of Plaintiff in the telephonic trial confirmation hearing and to initiate the telephonic hearing at (559) 499-5680.

IT IS SO ORDERED.

Dated: December 18, 2013

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE