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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILL MOSES PALMER, III,
Plaintiff,
v.
DR. RICHARD P. BERKSON, et al.,
Defendants.

Case No. 1:11-cv-01882-LJO-MJS (PC)
**ORDER DENYING WITHOUT PREJUDICE
PLAINTIFF'S MOTION TO CONDUCT
DISCOVERY**
(ECF No. 15)

Plaintiff Will Moses Palmer III is a state prisoner proceeding pro se in this civil rights action filed November 14, 2011 pursuant to 42 U.S.C. § 1983. The complaint was screened and found to state a due process claim against Defendants Clement and Huang, but all other Defendants have been dismissed. (ECF No. 11.) Defendants Clement and Huang have not been served.

Before the Court is Plaintiff's motion for authority to conduct discovery. The motion is premature. Defendants have not appeared in this action. No discover may be conducted until an answer is filed and the Court issues an order opening discovery.

Accordingly, it is HEREBY ORDERED THAT Plaintiff's motion for authority to

1 conduct discovery (ECF No. 15) is DENIED WITHOUT PREJUDICE.

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IT IS SO ORDERED.

Dated: December 26, 2013

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE