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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANDREW A. CEJAS,
Plaintiff,

v.

MYERS, et al.,
Defendants.

Case No. 1:12-cv-00271-AWI-DLB PC

ORDER GRANTING DEFENDANTS’
MOTION TO MODIFY DISCOVERY AND
SCHEDULING ORDER

(Document 127)

Dispositive Motions: **January 11, 2016**

Plaintiff Andrew A. Cejas (“Plaintiff”) is a California state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

Pursuant to the May 13, 2015, Discovery and Scheduling Order, the current deadline for dispositive motions is December 9, 2015.

On November 20, 2015, Defendants filed a joint motion to extend the dispositive motion deadline to January 11, 2016. The Court deems the matter suitable for decision without an opposition.

DISCUSSION

Modification of the pretrial scheduling order requires a showing of good cause. Fed. R. Civ. P. 16(b)(4). “The schedule may be modified ‘if it cannot reasonably be met despite the diligence of the party seeking the extension.’” Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002) (quoting Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992)).

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“If the party seeking the modification ‘was not diligent, the inquiry should end’ and the motion to modify should not be granted.” Id.

Here, Defendants seek an extension of the December 9, 2015, dispositive motion deadline due to work-load issues and prior commitments of counsel. For good cause, the Court GRANTS the request and extends the dispositive motion deadline to **January 11, 2016.**

IT IS SO ORDERED.

Dated: December 9, 2015

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE