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7 **UNITED STATES DISTRICT COURT**

8 EASTERN DISTRICT OF CALIFORNIA
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10 LEWIS PERRY,

Case No. 1:12-cv-00312-AWI-SKO PC

11 Plaintiff,

ORDER STAYING SCHEDULING ORDER
AND REQUIRING DEFENDANT TO FILE
STATUS REPORT ON OR BEFORE JUNE
11, 2014

12 v.

13 JOHN GARCIA, et al.,

(Docs. 30-32)

14 Defendants.
15 _____/

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17 Plaintiff Lewis Perry, a state prisoner proceeding pro se and in forma pauperis, filed this
18 civil rights action pursuant to 42 U.S.C. § 1983 on February 21, 2012. This action for damages is
19 proceeding on Plaintiff's second amended complaint against Defendant Nguyen for violation of
20 the Eighth Amendment. Defendant filed an answer on January 21, 2014, and the Court issued a
21 scheduling order on February 3, 2014.

22 On February 18, 2014, an individual purporting to be Plaintiff's "next friend" filed a
23 motion to stay discovery for no fewer than ninety days given Plaintiff's hospitalization and
24 inability to litigate this case. On February 19, 2014, Defendant filed a statement of non-opposition
25 and requested that the Court extend all scheduling order deadlines, should it grant Plaintiff's
26 request.

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1 Upon review of the record, the Court HEREBY ORDERS as follows:

2 1. The scheduling order, filed on February 3, 2014, is STAYED;

3 2. Defendant's counsel shall file a status report on or before June 11, 2014, regarding
4 Plaintiff's medical status and his access to his legal material; and

5 3. If necessary in light of Defendant's status report, the Court will extend the stay as
6 appropriate.

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8 IT IS SO ORDERED.

9 Dated: March 12, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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