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

LEONARD JOHNSON,	)	Case No.: 1:12-cv-00820-SAB (PC)
Plaintiff,	)	
v.	)	ORDER DENYING, WITHOUT PREJUDICE, PLAINTIFF’S MOTION FOR COURT APPOINTED EXPERT WITNESS
HUMBERTO RODRIGUEZ,	)	[ECF No. 44]
Defendant.	)	
	)	
	)	

Plaintiff Leonard Johnson is proceeding in this civil rights action pursuant to 42 U.S.C. § 1983. Pursuant to 28 U.S.C. § 636(c), the parties consented to the jurisdiction of the United States magistrate judge. Local Rule 302.

On June 11, 2015, Plaintiff filed a motion for the appointment of an expert witness. (ECF No. 44.) . The Court heard argument at the Pretrial Conference on June 11, 2015 and gave its tentative ruling from the bench after giving the parties an opportunity to be heard.

Plaintiff moves, pursuant to Rule 706 of the Federal Rules of Evidence, for appointment of a medical expert, during the summary judgment motion phase of this case. Pursuant to Rule 702 of the Federal Rules of Evidence, “[i]f scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify thereto in the form of an opinion or

