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3 **UNITED STATES DISTRICT COURT**
4 **EASTERN DISTRICT OF CALIFORNIA**
5

6 C. DWAYNE GILMORE,

7 Plaintiff,

8 v.

9 C. LOCKARD, et al.,

10 Defendants.

Case No. 1:12-cv-00925-LJO-SAB-PC

ORDER DENYING PLAINTIFF'S MOTION
TO SET A TRIAL DATE AS PREMATURE

(ECF NO. 197)

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12 On August 19, 2016, Plaintiff filed a motion to set trial and pretrial dates. (ECF No.
13 197.) On August 4, 2016, findings and recommendations were entered, recommending that
14 Plaintiff's motion for summary judgment be denied. (ECF No. 196.) The parties were provided
15 thirty days in which to file objections. Once the time for filing objections to the findings and
16 recommendations has expired, the findings and recommendations will be submitted to the U.S.
17 District Judge assigned to the case. Once the findings and recommendations have been adopted
18 by the District Court, trial and pretrial dates will be set. Until such time as an order has been
19 entered adopting the findings and recommendations, any request to set a trial date is premature.

20 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion to set a trial date filed
21 on August 19, 2016, is DENIED as premature.

22 IT IS SO ORDERED.

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24 Dated: August 24, 2016


UNITED STATES MAGISTRATE JUDGE