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7 UNITED STATES DISTRICT COURT  
8 EASTERN DISTRICT OF CALIFORNIA  
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10 C. DWAYNE GILMORE,

11 Plaintiff,

12 vs.

13 D. AUGUSTUS, et al.,

14 Defendants.  
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1:12-cv-00925-GSA-PC

ORDER GRANTING PLAINTIFF'S REQUEST  
FOR SCHEDULING ORDER  
(Doc. 33.)

ORDER DIRECTING CLERK TO ISSUE  
SCHEDULING ORDER IN THIS ACTION

16 C. Dwayne Gilmore ("Plaintiff") is a state prisoner proceeding pro se and in forma  
17 pauperis with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint  
18 commencing this action on June 7, 2012. (Doc. 1.) This action now proceeds on the First  
19 Amended Complaint filed on March 8, 2013, against defendants Correctional Officer (C/O) C.  
20 Lockard, C/O C. Lopez, C/O J. Hightower, and C/O J. J. Torres for excessive force, and against  
21 defendant C/O J. J. Torres for denial of adequate medical care, in violation of the Eighth  
22 Amendment.<sup>1</sup> On April 4, 2014, defendants Hightower and Lopez filed an Answer to the  
23 complaint. (Doc. 30.) On April 21, 2014, Plaintiff filed a request for the court to issue a  
24 scheduling order in this action. (Doc. 34.)  
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26 <sup>1</sup> On November 18, 2013, the court issued an order dismissing all other claims and defendants from this  
27 action for failure to state a claim. (Doc. 17.) Defendants Lieutenant D. Augustus, Sergeant J. S. Diaz, Licensed  
28 Vocational Nurse (LVN) A. Serna, LVN B. Ismat, LVN I. Bari, LVN J. Canada, LVN Z. Nartume, and John Doe  
were dismissed from this action based on Plaintiff's failure to state any claims against them upon which relief may  
be granted under §1983, and Plaintiff's claims based on supervisory liability and claims for conspiracy and  
violation of due process were dismissed from this action for Plaintiff's failure to state a claim under § 1983. (Id.)

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Good cause appearing, IT IS HEREBY ORDERED that:

1. Plaintiff's request for the court to issue a scheduling order in this action is GRANTED; and
2. The Clerk of Court is directed to issue a scheduling order in this action.

IT IS SO ORDERED.

Dated: April 24, 2014

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE