

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOSEPH RAYMOND MCCOY,                 ) Case No.: 1:12-cv-000983-AWI-SAB (PC)  
  ) )  
                          Plaintiff,             ) )  
  ) )  
                  v.                                 ) )  
  ) )  
STRONACH, et al.,                     ) )  
  ) )  
                          Defendants.            ) )  
  ) )  
  ) Discovery Deadline: **October 2, 2019**  
  ) Dispositive Motion Deadline: **December 2, 2019**

---

**ORDER DIRECTING JUDGMENT IN  
FAVOR ON PLAINTIFF ON EXHAUSTION  
OF ADMINISTRATIVE REMEDIES**  
**AMENDED SCHEDULING ORDER**

Plaintiff Joseph Raymond McCoy is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On April 1, 2019, the United States Court of Appeals for the Ninth Circuit reversed and remanded this case finding that Plaintiff exhausted his medical deliberate indifference claim against Defendants Stronach, Gonzales, LeMay, Beltran, Fisher, Snell and Tann, and instructed that judgment be entered in favor of Plaintiff on the exhaustion issue. (ECF No. 126.) The mandate issued on April 23, 2019. (ECF No. 128.)

In light of the finding that Plaintiff exhausted his medical deliberate indifference claim against Defendants Stronach, Gonzales, LeMay, Beltran, Fisher, Snell and Tann, the Court will issue an amended scheduling order for merits-based discovery and the filing of dispositive motions.

///  
///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, it is HEREBY ORDERED that:

1. The Clerk of Court is directed to enter judgment in favor of Plaintiff on the issue of exhaustion of the administrative remedies;
2. The deadline for completion of all merits-based discovery is **October 2, 2019**;
3. The deadline for filing dispositive motions is **December 2, 2019**; and
4. All other substantive provisions of the Court's August 7, 2014, discovery and scheduling order remain in full force and effect.

IT IS SO ORDERED.

Dated: April 24, 2019

  
UNITED STATES MAGISTRATE JUDGE