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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 BRYAN E. RANSOM,

12 Plaintiff,

13 vs.

14 AGUIRRE, et al.,

15 Defendants.  
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**1:12-cv-01343-DAD-GSA-PC**

**ORDER DENYING DEFENDANTS’  
MOTION TO VACATE OR  
MODIFY DISCOVERY AND  
SCHEDULING ORDER AS MOOT  
(ECF No. 143.)**

18 Bryan E. Ransom (“Plaintiff”) is a state prisoner proceeding pro se with this civil rights  
19 action pursuant to 42 U.S.C. § 1983. This case now proceeds with Plaintiff’s First Amended  
20 Complaint filed on March 6, 2013, against defendants Aguirre, Alanis, Clark, Cortez, Kernan,  
21 Mariscal, Messick, Moon, Perez, Singh, Ulit, Vallejo, Vogel, Wang, and Wooden (collectively,  
22 “Defendants”), on Plaintiff’s claims for retaliation, adverse conditions of confinement,  
23 inadequate medical care, and state tort violations, arising from events occurring in 2011. (ECF  
24 No. 12.)

25 On December 6, 2016, Defendants filed a motion to vacate or modify the court’s  
26 discovery and scheduling order issued on August 9, 2016. (ECF No. 133.) Defendants argue  
27 that good cause exists to vacate or modify the December 6, 2016, discovery deadline, the  
28 January 5, 2017, deadline to file motions to compel, and the March 6, 2017, deadline for filing

1 dispositive motions. Defendants argue that good cause exists to vacate or modify these  
2 deadlines, because Defendants have filed an unopposed motion to compel and a motion for  
3 terminating sanctions, which may resolve this case without the need for further discovery or  
4 law and motion. Defendants also assert that Plaintiff has not been participating in this case.

5 Defendants' motion is moot because all of the deadlines established by the court in the  
6 August 9, 2016, discovery and scheduling order have now expired and have not been extended.  
7 Therefore, Defendants' motion shall be denied as moot.

8 Accordingly, IT IS HEREBY ORDERED that Defendants' motion to vacate or modify  
9 the court's discovery and scheduling order, filed on December 6, 2016, is DENIED as moot.

10 IT IS SO ORDERED.

11 Dated: June 21, 2017

12 /s/ Gary S. Austin  
13 UNITED STATES MAGISTRATE JUDGE