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

STANLEY CALHOUN, ) 1:12cv02007 AWI DLB PC  
 )  
 Plaintiff, ) ORDER GRANTING DEFENDANT’S  
 ) *EX PARTE* REQUEST TO EXTEND  
 ) DISCOVERY DEADLINE  
 vs. )  
 ) (Document 34)  
 JAMES HARTLEY, )  
 )  
 Defendant. )

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Plaintiff Stanley Calhoun (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action. Plaintiff filed this action on December 10, 2012. The action is proceeding on Plaintiff’s First Amended Complaint for violation of the Eighth Amendment against Defendant Hartley.

Pursuant to the Court’s February 4, 2014, Discovery and Scheduling Order, the discovery cut-off is July 3, 2014. The dispositive motion deadline is September 2, 2014.

On June 17, 2014, Defendant filed an *ex parte* request to extend the discovery cut-off to August 4, 2014. Defendant does not believe he will need an extension of the September 2, 2014,

1 dispositive motion deadline. The Court finds the matter suitable for decision without an  
2 opposition. Local Rule 230(1).  
3

4 A scheduling order “may be modified only for good cause,” and by leave of court. Fed.  
5 R. Civ. P. 16(b)(4). Defendant’s counsel states that he was assigned to this matter on or about  
6 May 20, 2014. Despite his efforts, he has not had an opportunity to fully review the case file and  
7 he does not believe that he can meaningfully depose Plaintiff by the July 3, 2014, discovery cut-  
8 off.

9 The Court finds good cause to extend the discovery cut-off date. Accordingly, IT IS  
10 HEREBY ordered that all discovery shall be completed by August 4, 2014. The dispositive  
11 motion deadline shall remain September 2, 2014.  
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13 IT IS SO ORDERED.

14 Dated: June 18, 2014

15 /s/ Dennis L. Beck  
16 UNITED STATES MAGISTRATE JUDGE  
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