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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PAUL WELDON,
Plaintiff,
v.
JERRY DYER, et al.,
Defendants.

Case No. 1:13-cv-00540-LJO-SAB
ORDER DISREGARDING PLAINTIFF’S
IMPROPERLY NOTICED MOTIONS
ECF NO. 122, 124, 126

On March 24, 2015, Plaintiff Paul Weldon (“Plaintiff”) filed three motions. (ECF Nos. 122, 124, 126.) Plaintiff filed a motion for reconsideration of the Court’s order granting Defendants’ motion to compel, a motion to stay discovery pending the resolution of the outstanding motions for summary judgment, and a motion to stay the enforcement of the order imposing \$715.00 in monetary sanctions against Plaintiff.

Plaintiff set the hearing date on all three motions for April 6, 2015. The motions were filed on March 24, 2015, leaving only thirteen days calendar days between the date the motions were filed and the date of the hearing.

Under Local Rule 230(b), motions must be set for a hearing date not less than twenty-eight (28) days after service and filing of the motion, unless otherwise provided for in the Local Rules or by order of the Court. An exception is provided for motions dealing with discovery matters. Under Local Rule 251(a), the hearing date for motions concerning discovery matters

1 must be calendared at least twenty-one (21) days from the date of the filing and service of the
2 motion.¹

3 Plaintiff previously filed a motion to stay discovery on March 20, 2015, which the Court
4 disregarded for failing to comply with the Local Rule requirements pertaining to the hearing
5 date. Plaintiff attempted to have the matter heard on March 25, 2015. On March 24, 2015, the
6 Court issued a motion disregarding the prior motion because it failed to comply with the Local
7 Rule's requirements regarding the number of days between the filing of the motion and the
8 hearing date. The Court will disregard the present three motions for the same reason.² Plaintiff's
9 pending three motions will similarly be denied without prejudice to Plaintiff's right to refile them
10 in compliance with the requirements set forth in the Local Rules.

11 Based upon the foregoing, Plaintiff's motions, filed on March 24, 2015, are DENIED
12 without prejudice to Plaintiff's right to refile them on a properly noticed date and time.

13
14 IT IS SO ORDERED.

15 Dated: March 26, 2015


UNITED STATES MAGISTRATE JUDGE

26 ¹ The hearing may be calendared seven (7) days or more after the filing of the motion if it is filed concurrently with
27 a Joint Statement re Discovery Disagreement. Local Rule 251(a). However, no Joint Statement has been filed.

28 ² It is unclear whether Plaintiff was aware of the Court's March 24, 2015 order when he filed the present three
motions on the same day.