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

CURTIS BOYD,)	Case No. 1:13-01966-LJO-SAB (PC)
Plaintiff,)	
v.)	ORDER REGARDING DEFENDANT’S
C. ETCHEBEHERE,)	REQUEST FOR CLARIFICATION, GRANTING
Defendant.)	PARTIES’ REQUESTS TO VACATE THE
)	DISCOVERY AND DISPOSITIVE MOTION
)	DEADLINES
)	[ECF Nos. 46, 48]
)	

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

This case is proceeding against Defendant Etchebehere for a violation of Plaintiff’s right to the free exercise of religion under the First Amendment.

On November 9, 2015, the Court granted Plaintiff’s request for leave to amend the complaint to identify the Doe Defendants. (ECF No. 45.) In that order, the Court indicated that the discovery and dispositive motion deadline will have to be extended after service of the newly identified defendants. (Id.) Defendant Etchebehere now seeks clarification as to whether the Court intends to issue a new discovery and dispositive motion deadlines for all defendants, including her, or for only the “Doe” defendants. (ECF No. 48.) Defendant further requests “[i]n the event the Court does not intend to simultaneously issue new discovery and dispositive motion deadlines for Defendant Etchebehere, she alternatively moves for an order modifying the Discovery and Scheduling Order.

1 (ECF Nos. 14, 38.) Specifically, Defendant requests that the Court vacate the discovery deadline
2 (December 10, 2015) and the dispositive motion deadline (February 10, 2016) and reset those
3 deadlines after all the “Doe” defendants have been served with, and have answered, the operative
4 complaint.” (ECF No. 48, Motion at 2:1-6.)

5 On November 6, 2015, Plaintiff filed a motion to extend the discovery deadline in light of
6 identifying the “Doe” defendants. Although Plaintiff’s motion was deemed filed on November 6,
7 2015, it was not entered in to the Court’s electronic case filing system until November 12, 2015. (ECF
8 No. 46.)

9 Based on the fact that the Court has granted Plaintiff leave to amend to identify the “Doe”
10 defendants and the fact that defense counsel seeks to file only one motion for summary judgment on
11 behalf of all defendants, the Court will vacate and discovery and dispositive motion deadlines and re-
12 set the deadlines once the “Doe” defendants have been served and answered the operative complaint.

13 Based on the foregoing, it is HEREBY ORDERED that:

- 14 1. The parties’ request to extend and/or vacate the discovery and dispositive motions
15 deadlines are GRANTED; and
- 16 2. The discovery and dispositive motion deadlines set forth in the Court’s September 18,
17 2014, scheduling order are VACATED.

18
19 IT IS SO ORDERED.

20 Dated: November 24, 2015


UNITED STATES MAGISTRATE JUDGE