UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JAMES W. MILLNER, Plaintiff, v. MARTIN BITER, et al., Defendants.	Case No.: 1:13-cv-02029-AWI-SAB (PC) ORDER GRANTING DEFENDANT DILEO'S MOTION TO JOIN IN DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND EVIDENTIARY HEARING, AND RELIEVING DEFENDANT DILEO OF OBLIGATION TO FILE A RESPONSE UNTIL AFTER ISSUE OF EXHAUSTION IS RESOLVED [ECF No. 134]

Plaintiff James W. Millner is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983.

On May 5, 2016, Defendant Dileo filed a motion to join in Defendants' exhaustion-related motion for summary judgment and subsequent evidentiary hearing. (ECF No. 134.)

Good cause having been presented to the Court, it is HEREBY ORDERED that Defendant Dileo's request to join the pending motion for summary judgment and evidentiary hearing relating to exhaustion of the administrative remedies is GRANTED, and Defendant Dileo is relieved of the obligation to file a responsive pleading until the issue of exhaustion is resolved.

IT IS SO ORDERED.

Dated: **May 6, 2016**

UNITED STATES MAGISTRATE JUDGE