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8	IN THE UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	PERRY WASHINGTON, et al.,	Case No. 1:14-cv-00129-DAD-SAB
12	Plaintiffs,	ORDER LIFTING STAY, DENYING MOTION FOR EXTENSION OF TIME, APPOINTING COUNSEL, AND DIRECTING THE CLERK OF THE COURT TO ISSUE REGULAR CIVIL INITIAL CASE DOCUMENTS
13	VS.	
14	FRESNO COUNTY SHERIFF, et al.,	
15	Defendants.	
16		(ECF Nos. 80, 87)
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18	On February 5, 2016, Plaintiff filed a motion to amend the scheduling order to extend the	
19	discovery deadline by ninety days. On February 16, 2016, Defendants filed a response to the	
20	motion asserting that Plaintiff had been declared incompetent in his criminal action and was being	
21	transferred to a state mental health facility to have his competence restored. On February 18,	

discovery deadline by ninety days. On February 16, 2016, Defendants filed a response to the motion asserting that Plaintiff had been declared incompetent in his criminal action and was being transferred to a state mental health facility to have his competence restored. On February 18, 2016, an order issued finding that the appointment of counsel is warranted in this action and the action was stayed pending appointment of counsel. William L. Schmidt has been selected from the court's pro bono attorney panel to represent Plaintiff and he has agreed to be appointed. The Court shall appoint Mr. Schmidt to represent Plaintiff in this action.

Due to the appointment of Mr. Schmidt, the stay in this action shall be lifted. The Court finds that due to the appointment of counsel the scheduling order shall be amended to provide for a limited time to conduct discovery in this action and all deadlines and dates shall be amended as

a result. Therefore, Plaintiff's motion for an extension of the discovery deadline shall be denied as moot. A scheduling conference shall be set for April 26, 2016 at 9:45 a.m. in Courtroom 9. The parties shall file a joint scheduling report seven days prior to the scheduling conference. If the parties wish to appear telephonically at the scheduling conference, they shall contact Courtroom Deputy Clerk Mamie Hernandez at (559) 499-5672 prior to the conference so a notation can be placed on the courtroom calendar and to receive the toll-free number and teleconference code for the call.

Accordingly, IT IS HEREBY ORDERED that:

- 1. The stay in this action is lifted (ECF No. 87);
- 2. William L. Schmidt is appointed as counsel in the above entitled matter;
- 3. Appointed counsel shall notify Sujean Park at (916) 930-4278, or via email at spark@caed.uscourts.gov if he has any questions related to the appointment;
- 4. A scheduling conference is set for **April 26**, **2016 at 9:45 a.m.** in Courtroom 9;
- 5. The parties shall file a joint scheduling report seven days prior to the scheduling conference;
- 6. Plaintiff's motion for a 90-day extension of time, filed February 5, 2016, is DENIED as moot (ECF No. 80);
- 7. The Clerk of the Court is directed to issue regular civil initial case documents in this action; and
- 8. The Clerk of the Court is directed to serve a copy of this order upon William L. Schmidt, Attorney at Law P.C., 377 W. Fallbrook, Suite 205, Fresno, California 93729.

IT IS SO ORDERED.

Dated: **April 4, 2016**

UNITED STATES MAGISTRATE JUDGE