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

RALPH GARBARINI,)	Case No.: 1:14-cv-01058-AWI-SAB (PC)
)	
Plaintiff,)	
)	ORDER DENYING, WITHOUT PREJUDICE,
v.)	PLAINTIFF’S REQUEST FOR PROCEDURES
)	UTILIZED BY SENIOR UNITED STATES
WAYNE ULIT, et al.,)	DISTRICT JUDGE ANTHONY W. ISHII IN
)	SELECTION OF THE JURY AND EXERCISE OF
Defendants.)	PEREMPTORY CHALLENGES
)	
)	[ECF No. 84]

Plaintiff Ralph Garbarini is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff declined United States magistrate judge jurisdiction on July 18, 2014; therefore, this action was referred to the undersigned pursuant to to 28 U.S.C. § 636(1)(B) and Local Rule 302.

This action is proceeding against Defendants W. Ulit, J. Moon, D. Smith, and J. Wang for deliberate indifference to a serious medical need in violation of the Eighth Amendment.

Currently before the Court is Plaintiff’s motion requesting a copy of the procedures utilized by Senior United States District Judge Anthony W. Ishii in the selection of the jury and exercise of peremptory challenges pursuant to Local Rule 162.1(b), filed August 18, 2016.

Local Rule 162.1(b) provides that “[c]ounsel shall consult with the courtroom deputy clerk of the assigned Judge or Magistrate Judge for procedures utilized by that Judge in the selection of a jury

1 and in the exercise of peremptory challenges. See 28 U.S.C. § 1870; Fed. R. Civ. P. 47(b).” Local
2 Rule 162.1(b).

3 Plaintiff’s motion must be denied, without prejudice, as premature. On December 7, 2015,
4 Defendants filed an answer to the complaint. (Doc. 54.) On December 9, 2015, the Court issued the
5 discovery and scheduling order, setting *inter alia*, the deadline for completion of discovery by August
6 9, 2016, and a dispositive motion deadline of October 17, 2016. (Doc. 55.)

7 On March 8, 2016, Defendant Wang filed a motion for summary judgment based on Plaintiff’s
8 failure to exhaust the administrative remedies, which is currently pending before the Court. (Doc. 68.)
9 In addition, the deadline for the filing of dispositive motions has not yet expired. Accordingly, this
10 case is not yet ready for trial, and Plaintiff’s motion for a copy of the procedures utilized by Senior
11 United States District Judge Anthony W. Ishii in the selection of the jury and exercise of peremptory
12 challenges is DENIED, without prejudice, as premature.

13
14 IT IS SO ORDERED.

15 Dated: August 19, 2016



UNITED STATES MAGISTRATE JUDGE