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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LAKEITH L. MCCOY,
Plaintiff,
v.
A. HOLGUIN, et al.,
Defendants.

1:15-cv-00768-DAD-MJS (PC)
ORDER
(1) AMENDING DISCOVERY AND SCHEDULING ORDER; AND
(2) DENYING WITHOUT PREJUDICE PLAINTIFF'S MOTION TO COMPEL
(ECF NO. 40.)

Plaintiff is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This matter proceeds on Plaintiff's Second Amended Complaint asserting excessive force and failure to protect claims against 19 Defendants following a March 2015 assault. Plaintiff was granted leave to proceed in forma pauperis on July 14, 2015. (ECF No. 9.)

Pursuant to the Discovery and Scheduling Order, discovery in this case was set to close on February 17, 2017, and the dispositive motion deadline was April 19, 2017. (ECF Nos. 29, 46.) On January 31, 2017, Defendants moved to stay discovery pending resolution of their motion to revoke Plaintiff's in forma pauperis status. (ECF Nos. 44, 53.) Defendants' motion to stay was granted on February 6, 2017. (ECF No. 54.)

1 As to Defendants' January 9, 2017, motion to revoke Plaintiff's in forma pauperis
2 status, the undersigned issued findings and recommendations on March 7, 2017,
3 recommending that Plaintiff's in forma pauperis status be revoked and he be directed to
4 pay the \$400 filing fee in full. (ECF No. 56.) Those findings and recommendations were
5 adopted in full on May 11, 2017. (ECF No. 61.) On that same day, Plaintiff paid the \$400
6 filing fee.

7 Now that Defendants' motion to revoke Plaintiff's in forma pauperis status has
8 been resolved, IT IS HEREBY ORDERED that:

- 9 1. The discovery deadline is re-set for June 30, 2017;
- 10 2. The dispositive motion deadline is re-set for August 15, 2017; and
- 11 3. Plaintiff's pending motion to compel (ECF No. 40) is DENIED without prejudice
12 to its renewal.

13 IT IS SO ORDERED.

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15 Dated: May 12, 2017

/s/ Michael J. Seng
16 UNITED STATES MAGISTRATE JUDGE
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