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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 DEVONTE HARRIS,

12 Plaintiff,

13 vs.

14 HUMBERTO GERMAN, et al.,

15 Defendants.
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1:15-cv-01462-DAD-GSA-PC

SCHEDULING ORDER

**ORDER REOPENING DISCOVERY AND
SETTING NEW DEADLINES**

New discovery deadline: 08/30/2019

New dispositive motions deadline: 10/30/2019

19 Devonte Harris (“Plaintiff”) is a prisoner proceeding *pro se* and *in forma pauperis* with
20 this civil rights action pursuant to 42 U.S.C. § 1983. This case now proceeds with the First
21 Amended Complaint filed by Plaintiff on March 14, 2016, against defendants Correctional
22 Officer (C/O) Humberto German, C/O Philip Holguin, and C/O R. Bunitzki (collectively,
23 “Defendants”), for use of excessive force in violation of the Eighth Amendment; and, against
24 defendant C/O Philip Holguin for retaliation in violation of the First Amendment. (ECF No.
25 8.)

26 On March 19, 2018, the court issued a discovery and scheduling order setting out
27 deadlines for the parties, including a deadline for completion of discovery and a deadline for
28 filing dispositive motions. (ECF No. 37.) On September 21, 2018 and December 26, 2018, on

1 Plaintiff's motions, the court extended the discovery and dispositive motions deadlines. (ECF
2 No. 43, 56.) The deadlines have now expired.

3 On April 24, 2019, the court issued an order denying Defendants' motion for summary
4 judgment, without prejudice, and referring this case back to the magistrate judge for further
5 proceedings, including issuance of a new scheduling order. Accordingly, discovery shall be
6 reopened, and new deadlines shall be set by this order, as follows.

7 The new deadline for completion of discovery, including the filing of motions to
8 compel, is **August 30, 2019**. The new deadline for the parties to file dispositive motions is
9 **October 30, 2019**. All other provisions of the court's discovery and scheduling order issued
10 on March 19, 2018, remain the same.

11 **IV. CONCLUSION**

12 Based on the foregoing, IT IS HEREBY ORDERED that:

- 13 1. Discovery is reopened in this case, for all parties to this action;
- 14 2. The new deadline for completion of discovery, including the filing of motions to
15 compel, is **August 30, 2019**;
- 16 3. The new deadline for the parties to file dispositive motions is **October 30, 2019**;
- 17 4. All other provisions of the discovery and scheduling order issued on March 19,
18 2018, remain the same; and
- 19 5. **Extension of the deadlines established by this order shall not be extended**
20 **absent good cause.**

21
22 IT IS SO ORDERED.

23 Dated: **April 24, 2019**

24 **/s/ Gary S. Austin**
25 UNITED STATES MAGISTRATE JUDGE
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