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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RASHAD KING,
Plaintiff,
v.
S. HOLLAND, et al.,
Defendants.

Case No. 1:15-cv-01885-BAM (PC)
ORDER DENYING PLAINTIFF’S MOTION
REQUESTING ORDER OPENING
DISCOVERY AND SETTING DEADLINES
AS MOOT
(ECF No. 35)

Plaintiff Rashad King (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action under 42 U.S.C. § 1983. This action currently proceeds on Plaintiff’s Eighth Amendment claims against Defendants Duncan, Holland, Solis, and Tingley.¹

On April 10, 2017, Plaintiff filed the instant motion requesting the Court to issue an order opening discovery, setting deadlines for completing discovery, amending the pleadings, and filing dispositive motions. (ECF No. 35.)

On March 28, 2017, the Court issued a Discovery and Scheduling Order setting deadlines for discovery, amending the pleadings, and filing dispositive motions. (ECF No. 30.)

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¹ Defendant Solis has not yet been served with the summons and complaint in this matter. Service by the United States Marshal was returned unexecuted for the second time on April 10, 2017. The Court will address this matter by separate order.

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Accordingly, Plaintiff's motion requesting the Court to issue an order opening discovery and setting deadlines (ECF No. 35) is HEREBY DENIED as moot.

IT IS SO ORDERED.

Dated: April 12, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE