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

ARCHIE CRANFORD,

Plaintiff,

v.

TINA M. ADAMS, et al.,

Defendants.

1:16-cv-00783-GSA-PC

**ORDER DENYING PLAINTIFF'S REQUEST
FOR IMMEDIATE TRIAL
(ECF No. 21.)**

Archie Cranford ("Plaintiff") is a civil detainee proceeding pro se and in forma pauperis with this civil rights action pursuant to 42 U.S.C. § 1983. This case now proceeds with Plaintiff's initial Complaint, filed on June 6, 2016, against defendant Dunu Eyiuche (RN) on Plaintiff's equal protection claim. (ECF No. 1.)

It appearing that all parties to this action have consented to magistrate judge jurisdiction (ECF Nos. 5, 28), this case was assigned to Magistrate Judge Gary S. Austin on January 11, 2018, for all purposes within the meaning of 28 U.S.C. § 636(c), to conduct any and all further proceedings in this case, including trial and entry of final judgment. (ECF No. 35.)

On October 19, 2017, Plaintiff filed a motion for jury trial, in which he requested the court to schedule the trial for this case. (ECF No. 21.) Plaintiff asserts that because all discovery has been completed the court should schedule the trial and notify him of the name of

1 the court, time of trial, courtroom, and the name of the hearing judge so that he can prepare for
2 his witnesses to attend.

3 It is not yet time for jury trial in this case. On October 25, 2017, Defendant filed a
4 motion for summary judgment which is pending before the court and must be resolved before
5 trial is scheduled. When the time for trial is appropriate the court will *sua sponte* schedule the
6 trial and notify the parties. Therefore, Plaintiff does not need to file a motion when it is time
7 for the trial to be scheduled.

8 Accordingly, it is **HEREBY ORDERED** that Plaintiff's motion for the court to
9 immediately schedule a jury trial for this case, filed on October 19, 2017, is DENIED.

10 IT IS SO ORDERED.

11 Dated: March 19, 2018

12 /s/ Gary S. Austin
13 UNITED STATES MAGISTRATE JUDGE