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

DELBERT J. SMITH,  
Plaintiff,  
v.  
C. HERNANDEZ, et al.,  
Defendants.

Case No. 1:16-cv-01267-SAB (PC)  
ORDER SETTING TELEPHONIC TRIAL  
SCHEDULING CONFERENCE

Plaintiff Delbert J. Smith is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff and Defendants Hernandez and Flores-Alvarenga have consented to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c) and Rule 302 of the Local Rules for the United States District Court for the Eastern District of California. (ECF Nos. 5, 101.)

This action is proceeding against Defendants Hernandez and Flores-Alvarenga for excessive force in violation of the Eighth Amendment and retaliation in violation of the First Amendment and against Defendant Hernandez for deliberate indifference in violation of the Eighth Amendment. This case is now ready to be set for trial. In the interest of accommodating the parties' schedules, the Court will conduct a telephonic hearing for trial scheduling purposes.

Accordingly, it is **HEREBY ORDERED** that:

1. A telephonic trial scheduling hearing will be held on **March 14, 2019, at 10:00 a.m.**,

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- in Courtroom 9 before the undersigned; and
2. Counsel for Defendants is directed to contact Courtroom Deputy, Mamie Hernandez, at (559) 499-5672, prior to the hearing date, to receive instructions regarding the conference call; and
  3. Counsel for Defendants is required to arrange for Plaintiff's telephonic participation by contacting the Litigation Coordinator at the institution where Plaintiff is housed.

IT IS SO ORDERED.

Dated: March 6, 2019

  
UNITED STATES MAGISTRATE JUDGE