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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RANDY LANGLEY,
Plaintiff,
v.
E. GARCIA, G. COOK,
Defendants.

Case No. 1:16-cv-01299-JLT (PC)

ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION FOR MISCELLANEOUS RELIEF, EXTENDING DEADLINE TO RESPOND TO ORDER TO SHOW CAUSE, AND CONTINUING TELEPHONIC TRIAL CONFIRMATION HEARING

(Docs. 67, 72, 73)

Plaintiff has filed a motion requesting a telephonic conference with Defendants and the Court. (Doc. 73.) It is unclear what the purpose would be for the conference. Thus, the Court will deny Plaintiff's motion for a telephonic conference without prejudice. The Court will direct defense counsel to contact Plaintiff at his place of incarceration to discuss the matter.

In addition, on May 18, 2021, the Court ordered Plaintiff to show cause in writing why this action should not be dismissed for his failure to comply with the Court's Second Scheduling Order. (Doc. 72.) In his motion requesting a telephonic conference, dated May 16, 2021, Plaintiff also provides notice of change of address and requests a copy of the Second Scheduling Order. (Doc. 73.) Since it is unclear whether Plaintiff received the order to show cause at his current place of incarceration, the Court will direct the Clerk's Office to re-serve the order and will extend the deadline for Plaintiff to respond. The Court will also grant Plaintiff's request for a copy of the Second Scheduling Order.

1 Lastly, to allow time for the parties to comply with this order, the Court will continue the
2 telephonic trial confirmation hearing currently set for June 14, 2021, to July 14, 2021.

3 Accordingly, the Court **ORDERS**:

- 4 1. Plaintiff's motion for a telephonic conference is **DENIED** without prejudice.
5 Plaintiff's motion for a copy of the Court's Second Scheduling Order is
6 **GRANTED**.
- 7 2. **Within 21 days** of the date of service of this order, defense counsel shall contact
8 Plaintiff to discuss the purpose of his requested telephonic conference, including
9 whether settlement is possible.
- 10 3. The deadline for Plaintiff to respond to the Court's May 18, 2021 order to show
11 cause (Doc. 72) is extended. Plaintiff shall respond to the order to show cause
12 **within 21 days** of the date of service of this order.
- 13 4. The Clerk's Office is directed to serve copies of the Second Scheduling Order
14 (Doc. 67) and order to show cause (Doc. 72) on Plaintiff.
- 15 5. The telephonic trial confirmation hearing set for June 14, 2021, is **CONTINUED**
16 to **July 14, 2021, at 9:00 a.m.** Defense counsel shall arrange for Plaintiff's
17 participation. The Court will issue a writ of *habeas corpus ad testificandum* as
18 appropriate.

19
20 IT IS SO ORDERED.

21 Dated: June 7, 2021

_____/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE