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

JAMES JACK, JR.,  
Plaintiff,  
v.  
COUNTY OF STANISLAUS, et al.,  
Defendants.

Case No. 1:17 -cv-00520-AWI-SAB  
ORDER DENYING REQUEST TO  
ADVANCE MANDATORY SCHEDULING  
CONFERENCE WITHOUT PREJUDICE  
(ECF No. 36)

On February 23, 2018, the mandatory scheduling conference in this matter was continued to May 29, 2018 due to a pending motion to dismiss. On March 2, 2018, the parties filed an application to shorten time for hearing on the motion to dismiss which was denied as moot by District Judge Anthony W. Ishii on March 9, 2018 when the hearing was vacated and the matter was taken under submission.

In the application to shorten time, the parties also requested that the mandatory scheduling conference be advanced from May 29, 2018 to April 2, 2018. However, the Court declines to hold the mandatory scheduling conference until decision on the motion to dismiss and an answer is filed in the action at which time the Court deems that the matter is ripe for scheduling. The parties may file a stipulation to advance the scheduling conference once a decision is issued on the pending motion to dismiss and the answer is filed in the action.

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1           Accordingly, the request to advance the mandatory scheduling conference is HEREBY  
2 DENIED without prejudice.

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4 IT IS SO ORDERED.

5 Dated: March 12, 2018

  

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UNITED STATES MAGISTRATE JUDGE

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