

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MITCHELL GARRAWAY,

Plaintiff,

VS.

JACQUELINE CIUFO, et al.,

Defendants.

1:17-cv-00533-DAD-GSA-PC

**ORDER DENYING PLAINTIFF'S MOTION
FOR TRIAL DATE AS PREMATURE
(ECF No. 123.)**

Plaintiff is a federal prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to Bivens vs. Six Unknown Agents, 403 U.S. 388 (1971). This case now proceeds with Plaintiff's original Complaint filed on April 17, 2017, against defendants Jacqueline Ciufo (Unit Manager), K. Miller (Corrections Officer), and Lieutenant J. Zaragoza (collectively, "Defendants"), for failure to protect Plaintiff in violation of the Eighth Amendment. (ECF No. 1.)

On March 8, 2021, Plaintiff filed a motion requesting the court to schedule a trial date for this case. (ECF No. 123.) Plaintiff's motion is premature. The court shall not schedule a trial in this case before the pending settlement conference scheduled in this case for May 25, 2021, has been resolved.

Therefore, **IT IS HEREBY ORDERED** that Plaintiff's motion to schedule a trial for this case, filed on March 8, 2021, is denied as premature.

IT IS SO ORDERED.

Dated: **March 30, 2021**

/s/ Gary S. Austin

UNITED STATES MAGISTRATE JUDGE
