## 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 MARCO A. GARCIA, Case No. 1:17-cv-01313-BAM (PC) 12 ORDER SETTING TELEPHONIC STATUS Plaintiff. **CONFERENCE** 13 v. Date: May 18, 2021 14 Time: 9:00 a.m. GARCIA, et al., 15 Defendants. 16 17 Plaintiff Marco A. Garcia ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on 18 19 Plaintiff's complaint against Defendants Garcia and Bursiaga for excessive force in violation of 20 the Eighth Amendment. All parties have consented to Magistrate Judge jurisdiction. (ECF No. 21 28.) 22 Discovery in this action has closed and the deadline for dispositive motions has passed. This case is now ready to be set for jury trial. In light of the current COVID-19 pandemic, the 23 24 Court will set a telephonic status conference for May 18, 2021, at 9:00 a.m. to discuss setting the 25 relevant deadlines and trial date before the undersigned. 26 Accordingly, IT IS HEREBY ORDERED as follows: 1. A telephonic status conference is set for May 18, 2021, at 9:00 a.m. before the 27 28 undersigned in Courtroom 8 (BAM);

| 1        | 2.      | The parties shall appear <u>telephonically (via Zoom)</u> ;                                    |
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| 2        | 3.      | Defense counsel shall contact Courtroom Deputy, Esther Valdez, at (559) 499-5788 or            |
| 3        |         | evaldez@caed.uscourts.gov for the Zoom dial-in information for all parties;                    |
| 4        | 4.      | <u>Defense counsel is required to arrange for Plaintiff's participation by contacting the</u>  |
| 5        |         | <u>Litigation Coordinator at the institution where Plaintiff is housed to provide the</u>      |
| 6        |         | necessary dial-in information and confirm whether the institution is able to produce           |
| 7        |         | Plaintiff for a telephonic appearance at the scheduled date and time;                          |
| 8        | 5.      | If the institution is unable to produce Plaintiff for a telephonic appearance at the scheduled |
| 9        |         | date and time, defense counsel shall so inform the Court by no later than April 12, 2021;      |
| 10       |         | and  |
| 11       | 6.      | The Court will issue any necessary transportation writ in due course.                          |
| 12       | 2 21 TI | SO ORDERED.  |
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| 14       | Da      | ted: March 29, 2021 /s/ Barbara A. McAuliffe<br>UNITED STATES MAGISTRATE JUDGE                 |
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