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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TRACYE BENARD WASHINGTON,
Plaintiff,
vs.
HICKS, et al.,
Defendants.

1:19-cv-00156-JLT-GSA-PC

**ORDER DENYING MOTION TO COMPEL
DISCOVERY FROM DEFENDANT HICKS
AS UNTIMELY
(ECF No. 105.)**

Tracye Benard Washington (“Plaintiff”) is a state prisoner proceeding *pro se* with this civil rights action pursuant to 42 U.S.C. § 1983. This case now proceeds with Plaintiff’s Complaint filed on February 5, 2019, against defendant Sergeant David Hicks for use of excessive force in violation of the Eighth Amendment. (ECF No. 1.)

On April 21, 2022, Plaintiff filed a motion to compel discovery from defendant Hicks. (ECF No. 105.) Plaintiff’s motion is untimely. The motion to compel was filed after the discovery deadline of April 10, 2022 had expired, and discovery has not been reopened.

Accordingly, **IT IS HEREBY ORDERED** that Plaintiff’s motion to compel discovery from defendant Rocha, filed on April 25, 2022, is denied as untimely filed.

IT IS SO ORDERED.
Dated: September 14, 2022

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE