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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ADAM JAY STONE,
Plaintiff,
v.
C. PFEIFFER, et al.,
Defendants.

No. 1:21-cv-01461-KES-SAB (PC)
ORDER DENYING PLAINTIFF’S MOTION
FOR ISSUANCE OF SUBPOENAS AS
UNTIMELY
(ECF No. 170)

Plaintiff Adam Jay Stone is proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983. This action is proceeding Plaintiff’s excessive force claim against Defendants B. Gonzales, G. Morales, K. Gonzales, and Anderson in violation of the Eighth Amendment.

Currently before the Court is Plaintiff’s motion for the issuance of subpoenas, filed August 28, 2024. Plaintiff’s request is untimely.

The Court issued the initial discovery and scheduling order on November 22, 2022. (ECF No. 59.) On June 7, 2023, the Court granted Defendants’ motion to stay and reset the pending deadlines until a final ruling on Defendant Anderson’s exhaustion motion for summary judgment, which included briefing on Plaintiff’s pending motion to compel. (ECF No. 93.)

On September 27, 2023, the Court set this case for a settlement conference at Corcoran State Prison on November 6, 2023, but the case did not settle. (ECF Nos. 117, 123.)

On October 25, 2023, Defendant Anderson’s exhaustion motion for summary judgment

1 was denied. (ECF No. 122.)

2 On November 8, 2023, the Court lifted the stay of discovery, directed Defendants to file a
3 response to Plaintiff's pending motions to compel within thirty days, and extended the discovery
4 deadline to February 6, 2024 and dispositive motion filing deadline to May 6, 2024. (ECF No.
5 125.)

6 On April 23, 2024, the Court granted Plaintiff's motion to modify the discovery and
7 scheduling order and extended the discovery deadline to June 25, 2024. (ECF No. 154.) The
8 extended discovery phase for this case closed on June 25, 2024 and has not been further extended.
9 Indeed, the Court denied Plaintiff's most recent request to extend the discovery deadline on
10 August 9, 2024. (ECF No. 167.) Accordingly, Plaintiff's request for the issuance of subpoenas is
11 DENIED as UNTIMELY.

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13 IT IS SO ORDERED.

14 Dated: August 29, 2024


UNITED STATES MAGISTRATE JUDGE

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