

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARTAY SCRUGGS,

Plaintiff,

No. CIV S-06-0633 FCD DAD P

vs.

S. VANCE, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a former state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. In light of defendants' pending motion for summary judgment, filed on October 17, 2008, the court will vacate the dates for the filing of pretrial statements, pretrial conference and trial.

Accordingly, IT IS HEREBY ORDERED that the court's scheduling order, filed on May 5, 2008, is modified as follows:

1. The filing of plaintiff's pretrial statement and motions to obtain the attendance of witnesses on or before January 16, 2009, is vacated;

2. The filing of defendants' pretrial statement due on or before January 23, 2009, is vacated;

////

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

- 3. Pretrial conference set for January 30, 2009, is vacated;
- 4. Trial set for April 28, 2009, before the Honorable Frank C. Damrell, is vacated; and
- 5. A new schedule for the above shall be set as appropriate following disposition of defendants' motion for summary judgment.

DATED: January 20, 2009.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

DAD:4
scru0633.vacsch