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

STEWART MANAGO,

Plaintiff,

No. 2:07-cv-2290 LKK KJN P

vs.

BRAD WILLIAMS, et al.,

ORDER

Defendants.

_____ /

Plaintiff has filed a “Motion for Temporary Removal Order for the Attendance of Incarcerated Witnesses” (Dkt. No. 98), and a “Pretrial Conference Statement” (Dkt. No. 99). Both are prematurely filed. Plaintiff has misread this court’s Discovery and Initial Scheduling Order (Dkt. No. 95), which states that, *if* a trial is scheduled in this case, the court will then order that the parties file pretrial statements and seek the attendance of trial witnesses. Thus, plaintiff’s Pretrial Conference Statement will be maintained in the court file but disregarded at this time, and plaintiff’s motion for an order authorizing the trial attendance of incarcerated witnesses will be denied without prejudice. If trial is scheduled in this case, plaintiff will be permitted to rely on the pretrial statement he has filed or to file a new statement, and to rely on his motion for the attendance of trial witnesses or to file a new motion.

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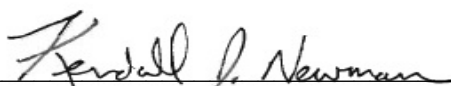
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For the foregoing reasons, IT IS HEREBY ORDERED that:

1. Plaintiff's prematurely-filed "Pretrial Conference Statement" (Dkt. No. 99) shall be disregarded; and
2. Plaintiff's prematurely-filed "Motion for Temporary Removal Order for the Attendance of Incarcerated Witnesses" (Dkt. No. 98) is denied without prejudice.

SO ORDERED.

DATED: September 9, 2010


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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