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

JOSEPH M. LEYVA,

Plaintiff,

No. CIV S-08-0076 LKK CKD P

vs.

MORENO, et al.,

Defendant.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. On August 9, 2011, plaintiff moved for a thirty-day extension of time to file a pretrial statement. (Dkt. No. #64.) On August 12, 2011, defendants moved to modify the scheduling order. (Dkt. No. 65.) As defendants' motion for summary judgment is pending, along with two discovery motions by plaintiff, the court will vacate the scheduling order issued October 22, 2010, and refrain from setting new deadlines until the dispositive motion is resolved.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for extension of time (Dkt. No. #64) is denied as moot;
2. Defendants' motion to modify the scheduling order (Dkt. No. #65) is granted;

and

3. The October 22, 2010 scheduling order (Dkt. No. #42) is vacated.

Dated: August 15, 2011



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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