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

DAVID E. EDWARDS,

No. CIV S-08-0620-CMK-P

Plaintiff,

vs.

ORDER

CSP SOLANO, et al.,

Defendants.

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Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pursuant to the written consent of all parties, this case is before the undersigned as the presiding judge for all purposes, including entry of final judgment. See 28 U.S.C. § 636(c).

On April 22, 2010, the court issued a scheduling order wherein a discovery deadline was set for August 9, 2010. The scheduling order also set a deadline for dispositive motions to be filed within 90 days after the discovery cut-off date. On September 15, 2010, the court granted plaintiff's request for an extension of time to complete discovery, resetting the discovery cut-off date to October 8, 2010. No further request for extending the discovery deadline was filed.

1           On January 19, 2011, over a month after the dispositive motion deadline had  
2 passed, the court issued an order requiring status reports and inquired whether this matter was  
3 ready to be set for trial. The parties have filed the required status reports, both sides requesting  
4 additional time to file the dispositive motions<sup>1</sup> and defendants requesting additional time to  
5 complete discovery.

6           No reason has been provided by either side as to why discovery was not  
7 completed by the extended deadline, nor why dispositive motions were not filed. Therefore, no  
8 good cause has been shown for extending the discovery deadline again. The court finds the  
9 parties have had sufficient time to complete the discovery in this matter, and as no motion for  
10 extending the deadline was filed, the court declines to extended that deadline at this time.  
11 However, the court will grant a short extension of time to file dispositive motions. The parties  
12 had requested an additional 60 to 90 days to file dispositive motions. Given the amount of time  
13 that has now passed, the court will authorize an additional 45 days for any dispositive motion to  
14 be filed. As plaintiff has already filed his motion for summary judgment, if defendants intend to  
15 file a cross-motion for summary judgement, they may do so within 45 days of the date of this  
16 order. Plaintiff's response to the cross-motion for summary judgment shall be filed within 30  
17 days thereafter.

18           According, IT IS HEREBY ORDERED that:

- 19           1.     The court declines to extend the discovery cut-off date in this matter;
- 20           2.     Any dispositive motions, including a cross-motion for summary judgment,  
21 shall be filed within 45 days of the date of this order;
- 22           3.     Any response to the cross-motion for summary judgment shall be filed  
23 within 30 days thereafter; and

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26           <sup>1</sup> Plaintiff has since filed his motion for summary judgment (Doc. 61).

