

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

DAVID M. DAVID,

Plaintiff,

No. 2:08-cv-1661 JAM JFM F

VS.

HIGH DESERT STATE PRISON,
et al.,

Defendants.

ORDER

On January 22, 2009, counsel for plaintiff filed a request to attend the January 29

17 2009 status conference by telephone. However, in his January 22, 2009 status report, plaintiff
18 confirms that defendants have not yet been served and states that he intends to amend his July 18,
19 2008 complaint. Good cause appearing, the status conference will be vacated; plaintiff will be
20 directed to file an amended complaint within sixty days from the date of this order. The request
21 to appear by phone will be denied as moot.¹ The status conference will be reset once defendants
22 have appeared in the action.

IT IS HEREBY ORDERED that:

1. The January 29, 2009 status conference is vacated.

¹ Counsel is advised that in the future he need not request to appear by telephone in writing. Counsel may make arrangements to appear by phone by calling the Courtroom Deputy, Jonathan Anderson, at (916) 930-4072.

2. Plaintiff's January 22, 2009 request is denied without prejudice; and
3. Plaintiff shall file an amended complaint within sixty days from the date of this order.

DATED: January 26, 2009.

John F. Wark
UNITED STATES MAGISTRATE JUDGE

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