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

MALIK JONES,

Plaintiff,

No. 2:08-cv-2607 MCE CKD P

vs.

J. McGUIRE, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner, proceeds pro se with a civil rights complaint brought pursuant to 42 U.S.C. § 1983. Following this court’s order of September 21, 2012 in which defendants’ motion to dismiss was granted and defendants’ motion for summary judgment was denied in part, plaintiff proceeds on a sole remaining claim: that defendant Lipton was deliberately indifferent to his serious medical need on September 13, 2007, in violation of the Eighth Amendment.

Pursuant to the court’s order of November 16, 2011, plaintiff’s pretrial statement was due 45 days after resolution of defendants’ motion for summary judgment. (Dkt. No. 69.) Plaintiff’s pretrial statement is therefore late. The parties were advised in the court’s order of January 11, 2011 that “failure to file a pretrial statement may result in the imposition of sanctions, including dismissal of this action.” (Dkt. No. 53.)

