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

ANTOINE HENDERSON,

Plaintiff,

No. CIV S-09-2779 DAD P

vs.

K. PURCELL, et al.,

Defendants.

ORDER

_____ /

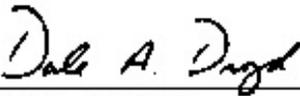
Plaintiff is a state prisoner proceeding pro se with this civil rights action. Plaintiff has filed a document styled “Reply to Court Order,” which this court has construed as motion to compel. Therein, he seeks a court order requiring the defendants to provide him with certain documents, including the Solano County Jail Manual or Training Book.

According to the court’s August 3, 2010 discovery and scheduling order, the parties were allowed to conduct discovery up until November 19, 2010; plaintiff needed to file any motion to compel by that date. In the absence of good cause, the court will not modify the scheduling order in this case. See Fed. R. Civ. P. 16(f); Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607-08 (9th Cir. 1992). Here, plaintiff has not shown good cause to extend the discovery deadline or modify the scheduling order. Id. at 609 (good cause exists when the moving party demonstrates that he could not meet a deadline despite exercising due diligence).

1 The court also notes that on May 6, 2011, it granted plaintiff thirty days to file an
2 opposition to defendants' motion for summary judgment. Plaintiff still has not filed an
3 opposition, so in due course the court will issue findings and recommendations on the motion
4 without his opposition.

5 In accordance with the above, IT IS HEREBY ORDERED that plaintiff's "Reply
6 to Court Order" construed as a motion to compel (Doc. No. 39) is denied.

7 DATED: July 6, 2011.

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DALE A. DROZD
11 UNITED STATES MAGISTRATE JUDGE

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