

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

GREGORY SMITH,

Plaintiff,

No. 12:10-cv-0762 KJM CKD P

vs.

PREETRAJAN SAHOTA, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Pending before the court is plaintiff’s motion to extend the discovery cut-off date, which was constructively filed on August 15, 2012 and docketed on August 24, 2012. (Dkt. No. 72.) On August 20, 2012, this court granted defendants’ motion to modify the scheduling order, directing that “any motions necessary to compel discovery shall be filed by November 12, 2012,” and noting that “the deadline for propounding discovery requests has passed.” (Dkt. No. 71.)

In his pending motion, which predates the August 20 order, plaintiff requests “60 additional days of discovery . . . to and including October 28, 2012.” (Dkt. No. 72 at 2.) He bases this request on “the possibility” that defendants will not properly respond to his discovery requests. (Id.) He also seeks to pursue “additional discovery.” (Id.)

Per its August 20 order, the court advises plaintiff that he may file a motion to compel discovery responses by November 12, 2012; however, the deadline for propounding

1 discovery requests has passed and will not be reopened.

2                   Accordingly, IT IS HEREBY ORDERED that plaintiff's August 24, 2012 motion  
3 to extend discovery (Dkt. No. 72) is denied as moot, in light of the court's August 20, 2012  
4 order.

5 Dated: August 30, 2012

6   
7 \_\_\_\_\_  
8 CAROLYN K. DELANEY  
9 UNITED STATES MAGISTRATE JUDGE

10 <sup>2</sup>  
11 smit0762.ord2

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26