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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALTON E. DEAN,  
Plaintiff,  
v.  
KATHRYN M. GONZALES, et al.,  
Defendants.

No. 2:10-cv-1355 MCE JFM (PC)

ORDER

Plaintiff is a state prisoner, proceeding pro se, with a civil rights action filed pursuant to 42 U.S.C. § 1983. On October 15, 2013, plaintiff filed a motion styled as a “motion to join complaints res judicata & reply to defendant’s answers to interrogatories 1-25.” ECF No. 95. Defendants responded thereto on October 28, 2013. ECF No. 97.

It is unclear to the court what relief plaintiff is seeking by filing his motion. The court notes that discovery closed on February 15, 2013, and any motions to compel discovery should have been filed by that date. See ECF No. 51. Therefore, to the extent plaintiff is seeking to compel further responses to discovery requests, plaintiff’s motion is untimely.

Furthermore, to the extent plaintiff is seeking relief through Plata v. Brown, 3:01-cv-01351-TEH (N.D. Cal.), plaintiff must pursue such claims through class counsel.

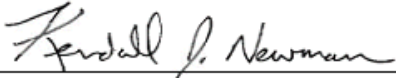
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Accordingly, IT IS HEREBY ORDERED that plaintiff's October 15, 2013, motion (ECF No. 95) is denied.

Dated: November 5, 2013

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE