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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TONY ASBERRY,  
Plaintiff,  
v.  
MATTHEW CATE et al.,  
Defendants.

No. 2: 11-cv-2462 KJM KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is defendants’ motion to modify the scheduling order. (ECF No. 179.) For the following reasons, this motion is granted.

The dispositive motion cut-off date is August 1, 2014. (ECF No. 150.) On July 21, 2014, the undersigned recommended that defendants’ motion to dismiss be granted. (ECF No. 178.) In the pending motion, defendants’ request that the court vacate the dispositive motion deadline until after the District Judge issues an order addressing the pending findings and recommendations. Good cause appearing, defendants’ motion is granted.

Because the undersigned has recommended that this action be dismissed, all other pending motions within the jurisdiction of the undersigned are vacated as well. If the district court does not adopt the findings and recommendations, these pending motions will be reinstated.

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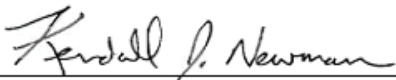
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Accordingly, IT IS HEREBY ORDERED that:

1. Defendants’ motion to modify the scheduling order (ECF No. 179) is granted;
2. The August 1, 2014 dispositive motion cut-off date is vacated; and
3. Plaintiff’s motion for injunctive relief (ECF No. 158), defendants’ motion for extension of time (ECF No. 165), plaintiff’s motion for clarification (ECF No. 166), plaintiff’s motion for consideration (ECF No. 168), and plaintiff’s motion to vacate (ECF No. 171) are vacated.

Dated: July 24, 2014

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE