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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MYRON A. PAYNE,
Plaintiff,
v.
MATTHEW CATE et al.,
Defendants.

No. 2:12-cv-0243 DAD P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action seeking relief under 42 U.S.C. § 1983.

On January 5, 2015, plaintiff filed a motion to compel. However, according to the court's discovery and scheduling order, the parties were required to file all discovery motions on or before October 31, 2014. Plaintiff has not filed a motion to modify the court's scheduling order. See Johnson v. Mammoth Re-creations, 975 F.2d 604, 608 (9th Cir. 1992). Nor has plaintiff otherwise shown good cause at this late date to modify the scheduling order as required. See id.

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to compel (Doc. No. 26) is stricken as untimely.

Dated: February 9, 2015

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE