

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
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MILTON SYKES,
Plaintiff,
v.
ATHANNASIOUS, et al.,
Defendants.

No. 12-cv-2570 TLN KJN P

ORDER

Plaintiff Milton Sykes is a state prisoner, proceeding in forma pauperis, in this civil rights action filed pursuant to 42 U.S.C. 1983 and California state law. Plaintiff is represented by court-appointed counsel.

On December 1, 2015, the court issued an order to show cause why defendant Khaira's October 27, 2015 motion to dismiss should not be granted and directing plaintiff to file an opposition or statement of non-opposition to the motion to dismiss. (ECF No. 121.) On December 11, 2015, plaintiff filed a response to the court's December 1, 2015 order and an opposition to defendant Khaira's motion to dismiss. (ECF Nos. 122, 123.) In response to plaintiff's opposition, defendant Khaira withdrew his motion to dismiss. (ECF No. 124.) On December 29, 2015, defendant Khaira answered plaintiff's second amended complaint. (ECF No. 125.)

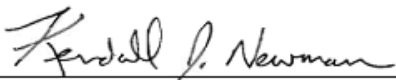
///

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
27
28

In accordance with the above, IT IS HEREBY ORDERED that:

1. The December 1, 2015 order to show cause directed to plaintiff is discharged.
2. The parties may conduct discovery until April 1, 2016. Any motions necessary to compel discovery shall be filed by that date. All requests for discovery pursuant to Federal Rules of Civil Procedure 31, 33, 34, or 36 shall be served not later than sixty days prior to that date.
3. All pretrial motions, except motions to compel discovery, shall be filed on or before July 1, 2016.
4. Following resolution of dispositive motions, this action will be set for trial, if appropriate.

Dated: January 4, 2016


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

/syke2570.dso.amend