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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

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

No. 2:12-cv-2570 TLN KJN P

ORDER

Plaintiff Milton Sykes is a state prisoner, proceeding through counsel, with a civil rights action filed pursuant to 42 U.S.C. § 1983 and California state law. On February 1, 2016, plaintiff's court-appointed counsel filed a motion for leave to withdraw as attorney of record. (ECF No. 127.) The motion was set for hearing before the undersigned on March 3, 2016. Mr. Reager, counsel for defendants Athannasious, Bick, and Weiland, did not appear at the March 3, 2016 hearing. Accordingly, the undersigned ordered Mr. Reager to show cause why sanctions should not be imposed for his failure to appear. (ECF No. 134.) On March 11, 2016, Mr. Reager filed a response to the order to show cause. Good cause appearing, the order to show cause is discharged.


As explained in the court's March 7, 2016 order, the court was considering the possibility of advancing the pretrial motion deadline in the instant case. (ECF No. 132.) All defendants have now confirmed their ability to file a motion for summary judgment within the next sixty

1 days. (ECF Nos. 133 & 135.) Accordingly, the current pretrial motion deadline of July 1, 2016
2 will be vacated. All pretrial motions will be due within sixty days of the filing date of this order.
3 Plaintiff shall have forty-five days to oppose any motion for summary judgment, and defendants
4 shall have seven days thereafter to reply. Should plaintiff require additional time to file an
5 opposition, the parties are strongly encouraged to stipulate to additional time. If no agreement
6 can be reached, counsel for plaintiff may apply to the court for an extension of time.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The March 7, 2016 order to show cause directed to Mr. Reager is discharged.
- 9 2. The pretrial motion deadline of July 1, 2016 is vacated.
- 10 3. All pretrial motions, except motions to compel discovery, shall be filed within sixty (60)
11 days of the filing date of this order. No hearing date shall be required at this time. The
12 court will schedule a hearing date if later deemed necessary. See L.R. 230.
- 13 4. Plaintiff shall have forty-five (45) days to oppose any motion for summary judgment.
14 Defendants' reply shall be due seven (7) days thereafter.
- 15 5. Following resolution of dispositive motions, this action will be set for trial, if appropriate.

16 Dated: March 16, 2016

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19 KENDALL J. NEWMAN
20 UNITED STATES MAGISTRATE JUDGE

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