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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT BENYAMINI,
Plaintiff,
v.
M. BLACKBURN, et al.,
Defendants

No. 13-cv-0205 MCE AC P

ORDER

Plaintiff is a former state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Currently pending is defendants’ motion for an order declaring plaintiff a vexatious litigant. ECF No. 88. The motion is set for hearing on May 25, 2016. Id. The court finds that oral argument is not necessary in this instance and the hearing will be vacated. The court will set a deadline for plaintiff’s response and defendants’ reply and, upon completion of briefing, the motion will be decided on the papers.

Accordingly, IT IS HEREBY ORDERED that:

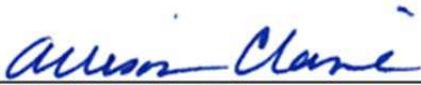
1. The hearing on the motion for an order declaring plaintiff a vexatious litigant, set for May 25, 2016, at 10:00 a.m., is vacated.
2. Plaintiff shall file any response to the motion for court order within twenty-one days of service of this order. Defendants may file a reply within seven days of service of the response.

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3. Upon completion of briefing, the motion for an order declaring plaintiff a vexatious litigant will be decided on the papers without oral argument by the parties.

DATED: April 6, 2016



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE