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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 JOHN McCLINTOCK,

12 Plaintiff,

13 v.

14 COLOSIMO, et al.,

15 Defendants.
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No. 2:13-cv-0264 TLN DB P

ORDER


17 Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights
18 action under 42 U.S.C. § 1983. Plaintiff alleges defendants Colosimo and Beshears violated his
19 Eighth Amendment right to be free of cruel and unusual punishment when they allowed a door to
20 remain closed on him. In a revised scheduling order issued June 21, 2017, the court set a deadline
21 of August 15, 2017 for plaintiff's pretrial statement and August 31, 2017 for defendants' pretrial
22 statement. (ECF No. 102.)

23 Plaintiff now moves the court for an extension of that deadline because he has been unable
24 to communicate with an incarcerated witness. (ECF No. 105.) Plaintiff also moves for an order
25 compelling Mule Creek State Prison to permit him to communicate with this witness. (ECF No.
26 104.) The court is concerned that plaintiff is not being permitted to communicate with a witness
27 he feels is material to his case in order to comply with the requirements for filing a pretrial
28 statement.

1 Within seven days of the filed date of this order, defendants shall file a response to
2 plaintiff's motion to compel.

3 IT IS SO ORDERED.

4 Dated: August 1, 2017

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7 DEBORAH BARNES
8 UNITED STATES MAGISTRATE JUDGE
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10 DLB:9
11 DLB1/prisoner-civil rights/mccl0264.resp
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