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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
                            Plaintiff,  
  
            v.  
  
RUTHIE HARTZ,  
  
                            Defendant.

No. 2:14-cv-0112 WBS CKD PS

ORDER

Defendant is proceeding in this action pro se. The action was referred to this court under Local Rule 302(c)(21). ECF No. 9.

On March 10, 2014, defendant filed a document purporting to dismiss this action. ECF No. 7. Under Federal Rule of Civil Procedure 41, defendant’s filing is improper and will be denied.

Defendant was served with summons on February 5, 2014; defendant’s responsive pleading was due February 26, 2014. ECF No. 4. Defendant filed a document on February 25, 2014. However, that document is non-responsive to the complaint. In light of defendant’s pro se status, defendant will be granted an extension of time to file a responsive pleading. Defendant is cautioned that failure to timely file a responsive pleading may result in entry of default judgment against defendant.

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1           Upon review of the entire docket, the court has determined that the only scheduling that  
2 need be done at this time is to set a cut-off date for law and motion. Accordingly, all law and  
3 motion is left open, save and except that it shall be conducted so as to be completed by May 7,  
4 2014. The word “completed” in this context means that all law and motion matters must be heard  
5 by the above date. The parties are cautioned to refer to the local rules regarding the requirements  
6 for noticing such motions on the court’s regularly scheduled law and motion calendar.

7           The parties should keep in mind that the purpose of law and motion is to narrow and  
8 refine the legal issues raised by the case, and to dispose of by pretrial motion those issues that are  
9 susceptible to resolution without trial. To accomplish that purpose, the parties need to identify  
10 and fully research the issues presented by the case, and then examine those issues in light of the  
11 evidence gleaned through discovery. If it appears after examining the legal issues and facts that  
12 an issue can be resolved by pretrial motion, the parties are to file the appropriate motion by the  
13 law and motion cutoff set forth supra.

14           Accordingly, IT IS HEREBY ORDERED that:

- 15           1. Defendant’s motion to dismiss (ECF No. 7) is denied.
- 16           2. Defendant shall file a responsive pleading no later than March 27, 2014. Defendant is  
17 cautioned that failure to file a responsive pleading may result in a recommendation that default  
18 judgment be entered against defendant.
- 19           3. All pretrial motions shall be completed by May 7, 2014.

20 Dated: March 14, 2014

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23 CAROLYN K. DELANEY  
24 UNITED STATES MAGISTRATE JUDGE

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