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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ASKIA ASHANTI,
Plaintiff,
v.
BARACK OBAMA, et al.,
Defendants.

No. 2: 14-cv-1644 JAM KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff’s motion for an extension of time to file a motion to compel. For the reasons stated herein, this motion is granted.

On April 1, 2016, the undersigned granted plaintiff thirty days to file a motion to compel regarding his previously served discovery requests. (ECF No. 76.) On May 2, 2016, plaintiff filed the pending motion for an extension of time to file a motion to compel. (ECF No. 78.) The grounds of this request are that the prison is on a temporary lockdown due to TB testing. On May 10, 2016, plaintiff filed a motion to compel. (ECF No. 82.) Good cause appearing, plaintiff’s motion for extension of time is granted and the motion to compel is deemed timely filed.

On May 6, 2016, defendant filed a summary judgment motion. (ECF No. 80.) Plaintiff is not required to file an opposition to the summary judgment motion until his motion to compel is resolved.


1 On May 4, 2016, plaintiff filed a motion requesting a settlement conference and to stay
2 this action pending the settlement conference. Following resolution of the summary judgment
3 motion, the court will schedule a settlement conference, if appropriate. Accordingly, plaintiff's
4 motion for a settlement conference is denied as premature.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. Plaintiff's motion for an extension of time to file a motion to compel (ECF No. 78) is
7 granted; plaintiff's motion to compel (ECF No. 82) is deemed timely filed; defendant shall file a
8 response to the motion to compel within twenty-one days of the date of this order; plaintiff may
9 file a reply within seven days thereafter; plaintiff is not required to file an opposition to
10 defendant's summary judgment motion until resolution of his motion to compel;

11 2. Plaintiff's motion for a settlement conference and to stay this action pending a
12 settlement conference (ECF No. 79) is denied.

13 Dated: May 17, 2016

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15 _____
16 KENDALL J. NEWMAN
17 UNITED STATES MAGISTRATE JUDGE

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