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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAUL ENRIQUE RAMIREZ,
Plaintiff,
v.
B. FLEMING, et al.,
Defendants.

No. 2:14-cv-1937 KJM CKD P

ORDER

Plaintiff has filed a motion asking that discovery be reopened. Discovery closed on June 9, 2016. Under Federal Rule of Civil Procedure 6(b)(1)(B), the court may, for good cause, extend a deadline after it has passed if the party seeking an extension demonstrates that they failed to act before expiration of the deadline because of excusable neglect. Plaintiff fails to show his delay in seeking an extension of the discovery deadline is due to excusable neglect.

The initial scheduling order in this case set March 11, 2016 as the discovery cutoff date. ECF No. 45. Thereafter the plaintiff requested a ninety day extension of time to complete discovery, and the discovery cutoff was extended until June 9, 2016. ECF Nos. 47 and 49. Plaintiff complains that the defendants failed to respond to his discovery requests, but he failed to raise that issue until after the discovery cutoff date. ECF Nos. 51 and 52. Plaintiff's explanation that he failed to act because he was busy litigating his other case does not constitute good cause for reopening discovery in this case.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to reopen discovery (ECF No. 55) is denied.

Dated: September 15, 2016



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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