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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,
Plaintiff,
v.
MIKE PATEL,
Defendant.

No. 2:14-cv-2052 KJM DB PS

ORDER

Defendant is proceeding in this action pro se. This matter was, therefore, referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). On November 6, 2019, the undersigned issued a scheduling order in this action. (ECF No. 84.) On July 17, 2020, plaintiff filed a motion for summary judgment. (ECF No. 84.) On July 22, 2020, plaintiff was advised that the filing was defective, having been improperly noticed for hearing before the assigned District Judge. (ECF No. 86.)

On July 29, 2020, plaintiff re-noticed the motion for summary judgment before the undersigned. (ECF No. 89.) Plaintiff's filing, however, was again defective as it was noticed for hearing on less than 28 days in violation of Local Rule 230. (ECF No. 90.) On July 30, 2020, plaintiff filed a second amended notice of motion, noticing the motion for hearing before the undersigned on September 4, 2020. (ECF No. 91.)

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1 However, the scheduling order issued on November 6, 2019, explained that “[a]ll law and
2 motion” must “be completed by August 14, 2020.” (ECF No. 38 at 2.) The order also explained
3 that “‘completed’ in this context means that all law and motion matters must be heard” by August
4 14, 2020. (Id.) That order has not been amended. In this regard, the time for law and motion has
5 closed. Plaintiff has not sought, let alone obtained, an amendment to the scheduling order. And
6 the undersigned cannot simply disregard the deadlines set forth in the scheduling order.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. Plaintiff’s July 29, 2020 motion for summary judgment (ECF No. 89) is denied without
9 prejudice to renewal; and
- 10 2. The September 4, 2020 hearing of plaintiff’s motion is vacated.

11 Dated: August 29, 2020

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15 DEBORAH BARNES
16 UNITED STATES MAGISTRATE JUDGE
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