

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY RAY BAKER,  
Plaintiff,  
v.  
J. MACOMBER, et al.,  
Defendants.

No. 2:15-cv-0248 TLN AC P

ORDER

Plaintiff Timothy Ray Baker is a state prisoner proceeding to trial with appointed counsel is this civil rights action against sole defendant Correctional Officer J. McCowan. This action proceeds on Eighth Amendment claims that defendant used excessive force against plaintiff and was deliberately indifferent to plaintiff's serious medical needs. See ECF Nos. 88, 85.

The undersigned has reviewed the parties' Joint Trial Scheduling Statement, ECF No. 103, and conferred with the assigned district judge, the Honorable Troy L. Nunley. The parties estimate that the trial will run for three days, and have provided their respective blackout dates. Subject to these considerations, the earliest date to commence trial is Monday, May 20, 2019. Accordingly, trial will be set for that date, and a Final Pretrial Conference will be set for Thursday, March 21, 2019.

///

///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, IT IS HEREBY ORDERED that:

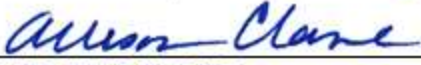
1. Trial in this action shall commence before District Judge Nunley, in Courtroom No. 2, on Monday, **May 20, 2019**, at 9:00 a.m. The parties estimate that trial will proceed for a period of three days.

2. The Final Pretrial Conference shall be held before District Judge Nunley, in Courtroom No. 2, on Thursday, **March 21, 2019**, at 2:00 p.m.

3. On or before **December 21, 2018**, the parties shall file a joint pretrial statement that fully addresses each of the matters set forth in Local Rule 281(b); no exhibits shall be submitted at this time.

IT IS SO ORDERED.

DATED: October 19, 2018

  
\_\_\_\_\_  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE