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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LONNIE WILLIAMS,
Plaintiff,
v.
R. AGREANO, et al.,
Defendants.

No. 2: 15-cv-1767 JAM KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. On July 19, 2016, defendants filed a summary judgment motion on the grounds that plaintiff failed to exhaust administrative remedies. (ECF No. 26.) Plaintiff did not file an opposition. Accordingly, the undersigned has separately ordered plaintiff to show cause why defendants’ motion should not be granted.

On July 28, 2016, defendants filed a motion to modify the scheduling order. (ECF No. 27.) Pursuant to the February 3, 2016, scheduling order, the dispositive motion cut-off date was August 5, 2016. (ECF No. 19.) In the motion to modify the scheduling order, defendants state that they intend to file a motion for summary judgment regarding the merits of plaintiff’s claims in the event that their pending summary judgment motion, alleging failure to exhaust administrative remedies, is denied. Defendants request that the dispositive motion deadline be extended to December 2, 2016, to permit the issue of exhaustion to be decided before defendants

1 are required to file their summary judgment regarding the merits.

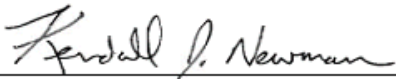
2 Good cause appearing, defendants' motion to modify the scheduling order is granted.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Defendants' motion to modify the scheduling order (ECF No. 27) is granted;

5 2. The dispositive motion deadline is extended from August 5, 2016, to December 2,
6 2016.

7 Dated: August 24, 2016

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9 _____
10 KENDALL J. NEWMAN
11 UNITED STATES MAGISTRATE JUDGE

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