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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAMIN SARIASLAN,
Plaintiff,
v.
RONALD RACKLEY, et al.,
Defendants.

No. 2:15-cv-2492-MCE-EFB P

ORDER

Plaintiff, a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983, has filed a motion to modify the discovery and scheduling order. ECF No. 42. Defendants oppose the motion (ECF No. 44), and have filed a motion to compel discovery¹ (ECF No. 45). Plaintiff has not yet responded to defendants’ motion but has filed a “Motion for Extension of Time to Comply with the Court’s Motion” (ECF No. 46), stating that on December 4, 2018, he was transferred to the California Institute for Men and on December 13, 2018, he was transferred to the California Correctional Institute. There is no “Court Motion,” but plaintiff’s request is construed as one for an extension of time to file a response to defendants’ motion to compel.

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¹ Defendant’s motion argues that plaintiff failed to provide any response at all to defendants’ interrogatories and requests for production.

1 In his motion to modify the discovery and scheduling order, plaintiff states that he timely
2 served two sets of interrogatories and two sets of requests for production on defendant Rackley.
3 ECF No. 42 at 2. He states that he also timely served one set of interrogatories and one set of
4 requests for production on defendant Polasik. *Id.* He asks that the December 21, 2018 deadline
5 for completion of discovery (*see* ECF No. 40) be extended by 60 days so that he may serve a
6 second set of interrogatories and request for production on defendant Polasik. *Id.* Given that
7 plaintiff was transferred at least two times in the weeks preceding the close of discovery (*see* ECF
8 No. 46), has limited access to legal resources as a prisoner (*see* ECF No. 42), and appears to have
9 been diligent in serving discovery requests, the court finds good cause to grant plaintiff's motion
10 for additional time.² *See* Fed R. Civ. P. 16(b). Accordingly, the deadline for completion of
11 discovery will be extended to March 18, 2019. In light of this extension, defendants' motion to
12 compel is denied as moot. ECF No. 45. To the extent plaintiff has been properly served with
13 discovery requests, he shall timely respond to them in accordance with this new deadline.

14 Accordingly, IT IS ORDERED that:

- 15 1. Plaintiff's motion to modify the discovery and scheduling order (ECF No. 42) is
16 GRANTED;
- 17 2. The parties may conduct discovery until March 18, 2019. Any motions necessary to
18 compel discovery shall be filed by that date.
- 19 3. Dispositive motions shall be filed on or before June 17, 2019.
- 20 4. Defendants' motion to compel (ECF No. 45) is DENIED as moot;
- 21 5. Plaintiff's "Motion for Extension of Time to Comply with the Court's Motion" (ECF
22 No. 46) is DENIED as moot.

23 DATED: January 16, 2019.

24 
25 EDMUND F. BRENNAN
26 UNITED STATES MAGISTRATE JUDGE
27

28 ² Consequently, the deadline for filing dispositive motions will also be extended.