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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AARON STRIBLING,

 Plaintiff,

 v.

LUCERO,

 Defendant.

No. 2:16-cv-1438-GEB-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. He requests an extension of time to serve discovery requests because he recently transferred to a new prison and was deprived of his legal materials for over a month. ECF No. 16. The court construes plaintiff’s requests as one to modify the scheduling order.¹

Good cause appearing, plaintiff’s request for an extension of time, which the court construes as a motion to modify the scheduling order (ECF No. 16), is granted as follows: The parties may conduct discovery until April 14, 2017. Any motions necessary to compel discovery


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¹ A scheduling order may be modified upon a showing of good cause. Fed. R. Civ. P. 16(b). Good cause exists when the moving party demonstrates he cannot meet the deadline despite exercising due diligence. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

1 shall be filed by that date. All requests for discovery pursuant to Fed. R. Civ. P. 31, 33, 34, or 36
2 shall be served not later than February 24, 2017. The Clerk shall terminate docket number 16.

3 So ordered.

4 DATED: February 13, 2017.

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6 EDMUND F. BRENNAN
7 UNITED STATES MAGISTRATE JUDGE
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