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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL XAVIER BELL,

Plaintiff,

v.

MICHAEL MARTEL, et al.,

Defendants.

No. 2:17-cv-00063-MCE-CKD

ORDER

Plaintiff is a state prisoner, currently in county custody, who is proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. On September 23, 2020, the district court judge assigned to this action adopted the Findings and Recommendations pertaining to defendants’ motion for summary judgment based on plaintiff’s failure to exhaust his administrative remedies. ECF No. 93. As a result, defendants Quinto, Brown, and Spalding were dismissed without prejudice. ECF No. 93. This action is proceeding on Eighth Amendment excessive force claims against the remaining defendants: Agapay, Gill, Go, Gatchalian, Simon, Uriquidez, Espino-Acevedo, Wagner, and Richardson. Id. Therefore, the parties are directed to submit a proposed further scheduling order in this case including a proposed cut-off date for discovery related to the merits of the remaining claims as well as a pretrial motions deadline. The parties are encouraged to submit a joint proposed scheduling order after meeting and conferring, if possible.

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Accordingly, IT IS HEREBY ORDERED that the parties submit a proposed further scheduling order within 30 days from the date of this order.

Dated: March 17, 2022



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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