

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ZACHARY CHESSER,

Plaintiff,

v.

Case No. 13-cv-456-JPG-PMF

HENRY RIVAS, JEFFREY WALTON,  
WENDY ROAL, STEVEN CARDONA, PAUL  
KELLY, MILTON NEUMANN, ROBERT  
ROLOFF, McCLEARY, WINN, LESLIE  
SMITH, APRIL CRUITT, T. CAPALDO,  
STEPHEN COLT and J. SIMMONS,

Defendants.

**MEMORANDUM AND ORDER**

This matter comes before the Court on plaintiff Zachary Chesser's appeal (Doc. 154) of Magistrate Judge Philip M. Frazier's May 18, 2015, order (Doc. 144) denying Chesser's motion for an extension of the scheduling and discovery order by 180 days (Doc. 124). Chesser requested the extension in light of his *pro se* prisoner status, discovery that remains to be done, and the likely presence of additional claims and defendants he will seek to add to this case. Magistrate Judge Frazier explained the he had already taken Chesser's status into account when setting and modifying the schedule in this case. Chesser objects to the order, reiterating some of the same arguments he made in his original motion and pointing to different reasons he says now justify extending the scheduling and discovery deadlines.

A district court reviewing a magistrate judge's decision on nondispositive issues should modify or set aside that decision if it is clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). The Court may also *sua sponte* reconsider any matter determined by a magistrate judge. L.R. 73.1(a); *Schur v. L.A. Weight Loss Ctrs., Inc.*, 577 F.3d 752, 760 (7th Cir. 2009).

The Court has reviewed Magistrate Judge Frazier's order and finds it is not clearly erroneous or contrary to law and appropriately resolves the matters raised in Chesser's original motion to extend the discovery deadline. Chesser has had nearly a year and a half to pursue discovery, and it is time for this case to move beyond that stage. Accordingly, the Court **AFFIRMS** Magistrate Judge Frazier's order (Doc. 144) and **OVERRULES** Chesser's objection (Doc. 154). Chesser may present his new arguments to Magistrate Judge Frazier in a new motion to extend the deadlines if he so wishes.

**IT IS SO ORDERED.**  
**DATED: June 22, 2015**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**