

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BRANDY NIHI,

Plaintiff,

v.

CV No. 17-819 JCH/CG

STATE OF NEW MEXICO, et al.,

Defendants.

ORDER GRANTING MOTION FOR STATUS CONFERENCE

THIS MATTER is before the Court on Defendant Town of Silver City's ("Defendant") *Motion for Status Conference*, (Doc. 13), filed September 26, 2017. This case is currently set for a Rule 16 Initial Scheduling Conference on October 3, 2017. (Doc. 8). In its Motion, Defendant states that Plaintiff has filed a motion to amend her complaint to remove her federal claims and to remand this case to state court, (Doc. 11), and that Defendant does not oppose the dismissal of Plaintiff's federal claims. (Doc. 13 at 2). Defendant further states "in light of the still pending Initial Scheduling Order and concerns about the proper procedural mechanisms to effect such dismissal, [Defendant] respectfully requests that the Court schedule a status conference for the purpose of providing guidance to the parties." *Id.* Having considered the Motion and record of the case, and being otherwise fully advised, the Court finds that the Motion is well taken and shall be granted.

IT IS THEREFORE ORDERED that the Rule 16 Initial Scheduling Conference and all associated deadlines are hereby **VACATED**.

IT IS FURTHER ORDERED that the Court will instead hold a status conference by telephone on **Tuesday, October 3, 2017, at 2:00 p.m.** The parties shall call Judge

Garza's Meet Me line at 505.348.2693 to be connected to the proceedings. This line can only accommodate up to five telephone lines, including the Court's; if the parties anticipate that they will exceed this capacity, they must contact the Court immediately so that alternative arrangements may be made.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Carmen E. Garza", with a horizontal line extending to the right from the end of the signature.

THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE