

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

RONALD FENN, *pro se*,

Petitioner/Plaintiff,

v.

No. CV 21-1089 MIS/CG

CITY COMMISSION OF
TRUTH OR CONSEQUENCES,

Respondent/Defendant.

ORDER DELAYING DISCOVERY SCHEDULE

THIS MATTER is before the Court upon review of the record. Respondent removed this matter from state court on November 10, 2021, (Doc. 1), and then filed a *Motion to Dismiss* (the “Motion”), (Doc. 6), on November 17, 2021. The Motion seeks dismissal of Mr. Fenn’s petition in its entirety, pursuant to FED. R. CIV. P. 12(b)(6). *Id.* at 1; *see also generally* (Doc. 7).

The Court therefore finds good cause under FED. R. CIV. P. 16 to delay conducting a scheduling conference and entering a scheduling order pending a ruling on the Motion. Should the parties *agree* that they wish to proceed with discovery in this matter, despite the pending Motion, the parties may request such.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE