

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

DERON MCCOY, JR.,

Plaintiff,

v.

**ARAMARK CORRECTIONAL SERVICES, et
al.,**

Defendants.

Case No. 16-3027-CM-KGG

MEMORANDUM AND ORDER

This matter comes before the court upon plaintiff DeRon McCoy, Jr.'s Motion For Scheduling Order (Doc. 122). Plaintiff originally filed this case on January 27, 2016 (Doc. 1). The governing complaint—the Third Amended Complaint—was not filed until June 14, 2017 (Doc. 56). Various dispositive motions have been filed and resolved by the court. (Docs. 88; 90; 123.) There are no pending dispositive motions. However, defendant Patricia Berry filed a response opposing plaintiff's motion for a scheduling conference. (Doc. 124.) In her response, filed September 28, 2018, defendant Berry suggests that she plans to file a Motion for Summary Judgment within 45 days—by November 12, 2018. November 12, 2018 is a federal holiday, so any such filing might be timely filed on November 13, 2018.

The Supreme Court has long “held that district courts have the inherent authority to manage their dockets and courtroom with a view toward the efficient and expedient resolution of cases.” *Dietz v. Bouldin*, 136 S. Ct. 1885, 1892 (2016) (citing *Landis v. N. Am. Co.*, 299 U.S. 248 (1936)). The court finds that the progress of this case will be most efficiently served by allowing defendant Berry the remainder of the time she requests to file her motion for summary judgment. At the expiration of that time, on November 13, 2018, if no dispositive motions have been filed, plaintiff may refile a motion to conduct a scheduling conference, or the court may set one sua sponte. If dispositive motions are filed,

the court will address those motions as expeditiously as possible. The stay of discovery in this case expired when the court entered its decision on August 17, 2018. (Doc. 105; 123.)

IT IS THEREFORE ORDERED that plaintiff's Motion For Scheduling Order (Doc. 122) is denied without prejudice.

Dated October 15, 2018, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge