



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

ALFREDO PRIETO,)	
)	
Plaintiff,)	
)	1:12cv1199 (LMB/IDD)
)	
HAROLD W. CLARKE, <u>et al.</u>)	
)	
Defendants.)	

ORDER

In their response to defendants' Motion for Summary Judgment plaintiff's counsel correctly argue that defendants' motion is premature because plaintiff has not had a chance to conduct discovery into facts which would be relevant to defendants' motion. For this reason, it is hereby

ORDERED that defendants' Motion for Summary Judgment [Dkt. No. 24] be and is DENIED WITHOUT PREJUDICE, and it is further

ORDERED that a Scheduling Order be issued forthwith.

The Clerk is directed to forward a copy of this Order to counsel of record.

Entered this 20th day of February, 2013.

Alexandria, Virginia

lmb

/s/ Leonie M. Brinkema
United States District Judge