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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Joe Newman,

10 Plaintiff,

11 v.

12 Show Low Police Department, et al.,

13 Defendants.

No. CV-13-08005-PCT-JAT

**ORDER**

14 Pending before the Court is Plaintiff Joe Newman's Motion for Settlement  
15 Conference (Doc. 39). The Court now rules on the motion.

16 Plaintiff's motion is somewhat confusing to follow, and begins with a number of  
17 factual clarifications regarding which the Plaintiff wishes to inform the Court. (Doc. 39 at  
18 1). Plaintiff then follows up with rhetorical questions concerning his ability to obtain  
19 counsel and speculation regarding his upcoming surgery. (*Id.*) ("So how can it be said  
20 that it is the plaintiff's option to have counsel?" and "In the event if all does not go well  
21 with a complicated surgery, where plaintiff cannot make a timely reply by 06/04/2014,  
22 what happens then?"). The Court declines Plaintiff's invitations to speculate on the  
23 outcomes of his life events.

24 Plaintiff also requests Defendants disclose certain video evidence in the case, but  
25 this request is not directed at the Court. (*Id.* at 1-2). Plaintiff's sole request for the Court  
26 is as follows:

27 If a settlement can not be reached with defendants or  
28 defendant's counsel, the plaintiff request [sic] for Court  
assistance in settlement efforts for a just and speedy and

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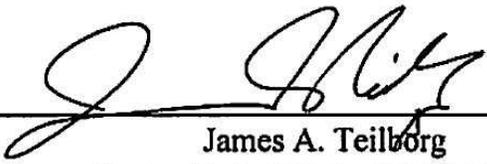
inexpensive settlement.

(*Id.* at 2). Accordingly, the Court construes Plaintiff's motion as a motion for referral to a Magistrate Judge for a settlement conference. The Court refers parties to a Magistrate Judge only if the request is jointly made. Therefore, Plaintiff's request is denied without prejudice to reurging it if *both* parties agree it would be beneficial.

For the foregoing reasons,

**IT IS ORDERED** that Plaintiff's Motion for Settlement Conference (Doc. 39) is denied without prejudice.

Dated this 30th day of April, 2014.

  
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James A. Teilborg  
Senior United States District Judge