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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MANUEL JUAREZ,

Plaintiff,

v.

ALAMEDA, et al.,

Defendants.

CASE NO. 1:04-cv-05668-LJO-GSA PC

ORDER STRIKING DUPLICATIVE MOTION

(Doc. 133)

ORDER ADDRESSING MOTION FOR CLARIFICATION

(Doc. 129)

Plaintiff Manuel Juarez (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This matter is set for a settlement conference before the Honorable Nandor J. Vadas on January 20, 2009, at California State Prison-Solano.

On December 29, 2008, Plaintiff filed a motion seeking clarification on the contents of the settlement conference statement he was ordered to mail to Judge Vadas on or before January 6, 2009. Plaintiff also expresses concern he is scheduled for transfer from High Desert State Prison in Susanville to R. J. Donovan Correctional Facility in San Diego. On January 8, 2009, the Court received a second, identical motion, which shall be stricken from the record as duplicative.

Plaintiff needs to send a letter to Judge Vadas merely explaining under what terms he is willing to settle this case.

With respect to Plaintiff’s housing, the Court cannot intervene in the California Department of Corrections and Rehabilitation’s decision whether or not to transfer Plaintiff. However, regardless

1 of where Plaintiff is housed, he will be transported for the settlement conference at CSP-Solano
2 pursuant to the transportation writ issued on January 5, 2009.

3 As explained herein, Plaintiff's duplicative motion, filed January 8, 2009, is HEREBY
4 STRICKEN from the record, and Plaintiff's motion for clarification, filed December 29, 2008, is
5 DEEMED ADDRESSED.

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7
8 IT IS SO ORDERED.

9 Dated: January 9, 2009

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE