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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

VIRGIL E. HOLT,

No. 1:04-CV-6073-MHM-P

Plaintiff,

vs.

ORDER

D.G. STOCKMAN, et al.,

Defendants.

_____ /

Plaintiff, a prisoner proceeding pro se, brought this civil rights action pursuant to 42 U.S.C. § 1983. Following a settlement conference, the matter was closed on May 10, 2012. The matter is now before the undersigned pursuant to the District Judge’s October 16, 2012, order issued incident to plaintiff’s October 3, 2012, motion for transcripts (Doc. 198).

In his October 3, 2012, filing, plaintiff seeks a transcript of the settlement conference. According to plaintiff, it was agreed as part of the settlement that, if defendants did not pay the settlement amount, he would be able to withdraw his acceptance of the settlement and proceed with this litigation. Plaintiff states that, to date, he has not received any settlement proceeds from defendants. Defendants shall file a response to plaintiff’s October 3, 2012 motion and shall address in particular plaintiff’s claim that settlement proceeds have not been paid.

1 Accordingly, IT IS HEREBY ORDERED that defendants shall file a response to
2 plaintiff's October 3, 2012, motion within 15 days of the date of this order.
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4 DATED: October 19, 2012

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7 **CRAIG M. KELLISON**
8 UNITED STATES MAGISTRATE JUDGE
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