

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

KELVIN X. SINGLETON,

Plaintiff,

v.

HEDGEPATH, et al.,

Defendants.

1:08-cv-00095-AWI-GSA-PC

ORDER DENYING PLAINTIFF’S  
REQUEST FOR TELEPHONIC STATUS  
CONFERENCE  
(Doc. 135.)

\_\_\_\_\_ /  
Kelvin X. Singleton (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On January 3, 2011, Plaintiff filed a request for a telephonic status conference to be scheduled in this action, pursuant to Local Rule 240. (Doc. 135.) Defendants have not filed an opposition.

Plaintiff requests a telephonic conference to discuss with the Court and Defendants the “amendment of pleadings; the formulation and simplification of the issues, including elimination of frivolous claims and defenses; the disposition of pending motions; and whether to hold further discovery conferences.” Id. Plaintiff also contends that many of the motions pending before the Court can be resolved during a telephonic conference. Id.

Plaintiff is directed to review the First Informational Order issued by the Court in this action on January 8, 2008. (Doc. 5). Because Plaintiff is incarcerated and proceeds pro se, all pre-trial motions will be submitted to the Court without a hearing. Id. at ¶9; L.R. 230(l). In

1 addition, this action is exempt from Local Rule 240's requirement of a mandatory scheduling  
2 conference. L.R. 240(c). Plaintiff has not presented sufficient reasons for the Court to order a  
3 telephonic conference at this juncture. It appears, at this stage of the proceedings, that the issues  
4 raised by Plaintiff are best resolved sua sponte by the Court, by motion submitted to the Court, or  
5 by the parties without court intervention. Therefore, Plaintiff's motion shall be denied.

6 Based on the foregoing, IT IS HEREBY ORDERED that Plaintiff's motion for a  
7 telephonic status conference is DENIED.

8  
9 IT IS SO ORDERED.

10 Dated: May 6, 2011

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE