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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JOHN RAY DYNES,

CASE NO. 1:08-cv-00136-GSA PC

Plaintiff,

ORDER RESOLVING PLAINTIFF’S MOTION

v.

(Doc. 49)

C/O JUAN MEDINA, et al.,

Defendants.

_____ /
This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff John Ray Dynes, a prisoner proceeding pro se and in forma pauperis. Plaintiff is currently incarcerated at the Fresno County Jail. This action is proceeding on Plaintiff’s amended complaint, filed April 24, 2008, against Defendants Medina and Williams for use of excessive physical force, in violation of the Eighth Amendment. Plaintiff’s claim arises from an incident which occurred while he was incarcerated at Kern Valley State Prison. This matter is set for jury trial before the undersigned on March 15, 2010.

On December 21, 2009, Plaintiff filed a motion seeking a court order requiring jail officials to transport him to court for the trial confirmation hearing and trial, and requesting the Court to notify Defendants of his offer to settle this case, set forth in the motion.

The trial confirmation hearing will be telephonic, and Plaintiff’s participation will be arranged. Further, Plaintiff will be transported to the court for trial. The orders necessary to facilitate Plaintiff’s participation in the trial confirmation hearing and at trial will be issued at the appropriate juncture as determined by the Court.

1 It is unnecessary for the Court to notify Defendants of Plaintiff's settlement offer because
2 they received notice of Plaintiff's filing when it was docketed. The possibility of settlement is an
3 issue both sides are to address in their pretrial statements, Local Rule 281(b)(16), and if there is
4 mutual agreement to a settlement conference, one will be arranged by the Court.

5 For the reasons set forth herein, Plaintiff's motion is HEREBY DEEMED RESOLVED.
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8 IT IS SO ORDERED.

9 Dated: January 8, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE