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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

CURTIS LEE HENDERSON, SR.,

Plaintiff,

v.

G. RODRIGUEZ,

Defendant.

CASE NO. 1:08-CV-00188-LJO-DLB PC

ORDER DENYING MOTION FOR  
SETTLEMENT CONFERENCE, WITHOUT  
PREJUDICE

(DOC. 52)

Plaintiff Curtis Lee Henderson, Sr., (“Plaintiff”) is a California state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff’s complaint, filed February 6, 2008, against Defendant G. Rodriguez for retaliation in violation of the First Amendment. Pending before the Court is Plaintiff’s motion for court settlement conference under Local Rule 1b-270 (now Local Rule 270), filed February 16, 2010. (Doc. 52.)

Plaintiff requests that the Court order a settlement conference. Plaintiff does not indicate that Defendant is interested in settlement. Local Rule 270 states that a settlement conference shall be held in all actions unless otherwise ordered. The general practice of this Court is to not schedule settlement conferences as a matter of course in prisoner actions. See L. R. 240(c)(exceptions to mandatory scheduling order). The Court will not set a settlement conference without a showing that Defendant is likewise interested in settlement.

Accordingly, it is HEREBY ORDERED that Plaintiff’s motion for settlement conference is DENIED, without prejudice.

IT IS SO ORDERED.

**Dated: September 21, 2010**

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE