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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CESAR URIBE,

Plaintiff,

v.

J. McKESSON, et al.,

Defendants.

CASE NO. 1:08-cv-01285-SMS PC

ORDER VACATING SETTLEMENT
CONFERENCE SET FOR MARCH 29, 2011

ORDER VACATING JURY TRIAL SET FOR
APRIL 18, 2011, AND VACATING WRIT OF
HABEAS CORPUS AD TESTIFICANDUM
DIRECTING THE PRODUCTION OF CESAR
URIBE, K-12001; FERNANDO MONGES, J-
45409; GILBERT VAIZA, C-15685; AND
CARLOS QUIROZ, V-13738 FOR TRIAL; AND
SETTING TELEPHONIC CONFERENCE FOR
APRIL 28, 2011

(Doc. 122)

ORDER DIRECTING CLERK’S OFFICE TO
SERVE A COURTESY COPY OF THIS ORDER
ON CDCR TRANSPORTATION, AND OUT-TO-
COURT DESK AND LITIGATION OFFICE AT
CORRECTIONAL TRAINING FACILITY AND
CSATF&SP

TELEPHONIC CONFERENCE: April 28, 2011 at
10:30 a.m. in Courtroom 7(SKO)

Plaintiff Cesar Uribe (“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 currently set for jury trial on April 18, 2011, at 9:00 a.m. in Courtroom 1, and a Writ of Habeas Corpus ad Testificandum commanding the production of Plaintiff Cesar Uribe, Fernando Monges, Gilbert Vaiza, and Carlos Quiroz for jury trial was filed on March 15, 2011. A settlement conference is set for March 29,

1 2011, at 2:00 p.m.

2 On March 17, 2011, Defendants consented to the jurisdiction of the Magistrate Judge and on
3 March 22, 2011, the case was reassigned to the Honorable Sandra M. Snyder.¹ Due to conflicts in
4 the court calendar, the undersigned is unavailable for the date currently set for the settlement
5 conference and trial. Therefore, the dates currently set for the settlement conference and trial will
6 be vacated, as will the Order and Writ of Habeas Corpus ad Testificandum issued on March 15,
7 2011.² A telephonic hearing to address trial setting and status of the action shall be set for April 28,
8 2011, at 10:30 a.m. in Courtroom 7 (SMS).

9 Accordingly, the Court HEREBY ORDERS that:

- 10 1. The settlement conference set for March 29, 2011, is VACATED;
- 11 2. The trial date of April 18, 2011, is VACATED;
- 12 3. The Order and Writ of Habeas Corpus ad Testificandum commanding the production
13 of Plaintiff Cesar Uribe, Fernando Monges, Gilbert Vaiza, and Carlos Quiroz for jury
14 trial on April 18, 2011, is VACATED;
- 15 4. This matter is set for telephonic conference to address trial setting and status before
16 the undersigned on April 28, 2011, at 10:30 a.m. in Courtroom 7 (SMS);
- 17 5. Counsel for Defendants is to arrange for the participation of Plaintiff in the
18 telephonic conference and to initiate the telephonic hearing at **(559) 499-5960**; and
- 19 6. The Clerk's Office shall serve a courtesy copy of this order on CDCR Transportation,
20 and the Out-to-Court Desk and Litigation Offices at Correctional Training Facility
21 and California Substance Abuse Treatment Facility and State Prison.

22 IT IS SO ORDERED.

23 **Dated: March 28, 2011**

24 **/s/ Sandra M. Snyder**
25 **UNITED STATES MAGISTRATE JUDGE**

26 _____
27 ¹Plaintiff consented to the jurisdiction of the Magistrate Judge on September 22, 2008. (ECF No. 5.)

28 ²The Court notes that Defendants filed a motion to quash subpoenas on March 22, 2011. The motion will be addressed by subsequent order in due course.