UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROBERTO A. SOTELO,

Plaintiff,

v.

T. BIRRING, et al.,

Defendants.

/

CASE NO. 1:08-cv-01342-LJO-SMS PC

ORDER DENYING PLAINTIFF'S MOTION FOR SETTLEMENT

(Doc. 27)

Plaintiff Roberto A. Sotelo, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on September 10, 2008. This action is proceeding on Plaintiff's amended complaint, filed February 24, 2009, against Defendants Birring, Das, Diep, and Coleman for acting with deliberate indifference to Plaintiff's medical needs, in violation of the Eighth Amendment.

On May 21, 2010, Plaintiff filed a motion seeking settlement of this case prior to trial.[1] If, at any time prior to trial, the parties believe a settlement conference would be beneficial, the Court will arrange for one. However, absent agreement between both sides, a settlement conference will not be set, and at no time does the Court simply order the parties to settle the case. Plaintiff may, however, send Defendants' counsel a settlement demand or a request to engage in settlement negotiations at any time. The demand or request should not be filed with the Court.

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[1] The motion appears to be for an order settling this case rather than for a settlement conference.

Accordingly, as set forth herein, Plaintiff's motion for settlement is DENIED.

IT IS SO ORDERED.

Dated: October 28, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE