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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA


PATRICK KUNKEL,
Plaintiff,
v.
N. DILL, et al.,
Defendants.

No. 1:09-cv-0686 BAM P

ORDER

Plaintiff is a state prisoner proceeding without counsel. On June 10, 2013, plaintiff filed a motion to cancel the settlement agreement. Having conducted the settlement agreement, the undersigned should address plaintiff's motion. The transcript from the May 6, 2013 settlement conference has been ordered. It appears that plaintiff's primary reason for seeking to set aside the settlement is the delay in receiving payment. Ironically, the payment cannot be processed until plaintiff signs and returns the paperwork forwarded to him by defense counsel. Therefore, any delay seems due to plaintiff's unwillingness to sign and return the papers. Nevertheless, the undersigned will address the pending motion once the court reviews the transcript from the settlement placed on the court record.

Dated: August 5, 2013


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE