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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RAUL HERNANDEZ,)	Case No.: 1:09-cv-00828-AWI-SAB (PC)
)	
Plaintiff,)	
)	ORDER DENYING, WITHOUT PREJUDICE,
v.)	PLAINTIFF’S MOTION FOR CASE
)	CONFERENCE AND SETTLEMENT
R.D. SMITH, et al.,)	
)	[ECF Nos. 45, 47]
Defendants.)	
)	
)	

Plaintiff Raul Hernandez is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On September 18, 2014, Plaintiff filed a motion for a conference and settlement. In response to this Court’s order, Defendants filed a response on September 26, 2014. Defendants submit that a settlement conference would not be helpful at this time as they intend to bring a motion for summary judgment. Furthermore, Defendants contend the terms of the proposed settlement relating to dental implants are not feasible. Defendants will never agree to provide Plaintiff a dental implant because such treatment is specifically excluded under California Code of Regulations, title 15, section 3350.1(c)(5).

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Based on Defendants' representation that a settlement conference would not be beneficial at the present time, Plaintiff's motion for a settlement conferred is DENIED, without prejudice.

IT IS SO ORDERED.

Dated: September 29, 2014



UNITED STATES MAGISTRATE JUDGE