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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FLOYD SCOTT,

Plaintiff,

v.

J. PALMER, et al.,

Defendants.

CASE NO. 1:09-cv-01329-LJO-SKO PC

ORDER DENYING MOTION AS MOOT

(Doc. 84)

On April 30, 2012, Plaintiff Floyd Scott, a state prisoner proceeding pro se in this civil rights action, filed a motion seeking to lift the stay in this action and continue with discovery.

Plaintiff was informed by the Court in orders filed on March 19, 2012, and March 29, 2012, that this action would remain stayed pending the settlement conference and until lifted by order. On April 24, 2012, following the unsuccessful settlement conference, the Court issued an order lifting the stay and setting a further schedule for proceedings.

Accordingly, Plaintiff's motion to lift the stay and continue with discovery is moot and it is **HEREBY DENIED.**¹

IT IS SO ORDERED.

Dated: May 2, 2012

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

¹ Plaintiff's complaints regarding the substance of the settlement conference, which was set at Defendants' request and not *sua sponte* by the Court, will not be addressed. In general, it is not appropriate for a judge assigned to a case to be involved in or have knowledge of the parties' settlement negotiations and no exception is presented here.