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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KHALID LANIER,

Plaintiff

v.

CITY OF FRESNO, et al.

Defendants.

CASE NO. 1:10-cv-01120-LJO-SKO

**ORDER CONTINUING THE
SCHEDULING CONFERENCE TO
MARCH 6, 2012, AT 9:30 A.M. AND
REQUIRING PLAINTIFF TO
CONTACT DEFENDANT'S
COUNSEL TO MEET AND CONFER
REGARDING THE JOINT
SCHEDULING REPORT AND TO
PROVIDE CONTACT
INFORMATION**

_____ /

On the hearing held on November 30, 2011, the Court granted the motion to withdraw as attorney of record brought by Plaintiff Khalid Lanier's ("Plaintiff") former counsel. (Doc. 74.) The Court ordered that if Plaintiff obtained new counsel, such new counsel must file an appearance by no later than January 17, 2012. (Doc. 74.) Alternatively, Plaintiff was ordered to notify the Court if he would be proceeding in *propria persona* (Doc. 74.) Plaintiff has not filed any notice regarding his representation, nor has new counsel filed a substitution of attorney with the Court. The Court

1 had indicated, however, that if Plaintiff failed to file any notice, the Court would find that Plaintiff
2 had elected to represent himself. (Doc. 74.)

3 A party representing himself in *propria persona* is required to comply with the Federal Rules
4 of Civil Procedure, the Local Rules of this Court, and all Court orders. The Court required that a
5 joint scheduling report be filed by no later than January 17, 2012, for a status conference set for
6 January 24, 2012. (Doc. 74.) On January 17, 2012, Defendant Alfonso Castillo ("Defendant") filed
7 an amended scheduling conference report stating that Plaintiff had not responded. (Doc. 80.)

8 The Court's Order Setting Mandatory Scheduling Conference, issued on June 22, 2010,
9 requires all parties to meet and confer prior to submitting a joint scheduling report. (Doc 5-1.) As
10 such, Plaintiff failed to comply with the Court's order to meet and confer with Defendant's counsel
11 prior to the filing of the scheduling report.

12 Accordingly, the scheduling conference currently set for January 24, 2012, is CONTINUED
13 to March 6, 2012, at 9:30 a.m. in Courtroom 7. Plaintiff is ORDERED to contact Defendant's
14 counsel Roy C. Santos, Esq., or James D. Weakley, Esq., of Weakley & Arendt, LLP, at
15 (559) 221-5256, to meet and confer concerning the issues at question during the scheduling
16 conference. A copy of the March 22, 2010, Order Setting Mandatory Scheduling Conference (Doc.
17 5-1) is attached to this order so as to inform Plaintiff as to the required form and contents of the
18 scheduling report.

19 Plaintiff is also ordered to provide the Court and Defendant's counsel with his contact
20 information, including a telephone number.

21 Plaintiff is cautioned that failure to comply with the Court's order may result in the
22 imposition of sanctions, including dismissal of his action.

23 Accordingly, IT IS HEREBY ORDERED THAT:

- 24 1. The scheduling conference currently set for January 24, 2010, is CONTINUED to
25 March 6, 2012, at 9:30 a.m. in Courtroom 7;
- 26 2. The parties shall appear in person unless telephonic appearances are approved in
27 advance by the Court;

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- 3. Plaintiff shall contact Defendant's counsel as soon as possible so as to meet and confer regarding the joint scheduling report;
- 4. The Clerk of the Court shall serve Plaintiff with a copy of the Order Setting Mandatory Scheduling Conference (Doc. 5-1) setting forth the requirements of the joint scheduling report; and
- 5. Plaintiff shall provide to the Court and to Defendant's counsel his contact information, including his telephone number.

IT IS SO ORDERED.

Dated: January 18, 2012

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE