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3 **UNITED STATES DISTRICT COURT**  
4 **EASTERN DISTRICT OF CALIFORNIA**  
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6 SYLESTER WILLIAMS,  
7  
8 Plaintiff  
9  
10 v.  
11 SERGEANT R. ANDERSON,  
12  
13 Defendants

CASE No. 1:10-cv-01250-LJO-SAB (PC)  
ORDER DENYING PLAINTIFF'S  
MOTION FOR SETTLEMENT  
CONFERENCE AS PREMATURE  
(ECF No. 24)

14 Plaintiff Sylester Williams ("Plaintiff") is a state prisoner proceeding pro se and in forma  
15 pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. This action was filed on July  
16 13, 2010. (ECF No. 1.) On May 21, 2013, the Court issued an order directing the United States  
17 Marshal to initiate service of process on Plaintiff's behalf. May 21, 2013. (ECF No. 23.) The  
18 Marshal has not served Defendant yet and the service deadline of September 23, 2013 has not  
19 passed. On August 1, 2013, Plaintiff filed a motion for a settlement conference. (ECF No. 24.)

20 The Court will set a settlement conference in cases such as this only if both sides believe  
21 one will be beneficial. In as much as Defendants have not yet been served, Plaintiff's motion is  
22 premature. Accordingly,

23 IT IS HEREBY ORDERED that Plaintiff's motion for a settlement conference is  
24 DENIED.

25 IT IS SO ORDERED.

26 Dated: August 8, 2013

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28 UNITED STATES MAGISTRATE JUDGE