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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

NATHAN SMITH,

Plaintiff,

v.

H.A. RIOS, JR., et al.,

Defendants.

CASE NO. 1:10-cv-1554-AWI-MJS (PC)

ORDER DENYING MOTION TO NOTIFY  
PARTIES OF WILLINGNESS AND  
AVAILABILITY FOR RULE 26(f)  
CONFERENCE

(ECF No. 22)

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Plaintiff Nathan Smith ("Plaintiff") is a federal prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388, 91 S.Ct. 1999 (1971). Before the Court is Plaintiff's Motion to Notify All Parties of Willingness and Availability for Rule 26(f) Conference.

As Plaintiff was previously informed, actions brought by a prisoner in the custody of the United States, such as the Plaintiff in this action, are exempt from Rule 26(f). See Fed. R. Civ. P. 26(a)(1)(B), (f).

IT IS SO ORDERED.

Dated: November 8, 2010

Isl. Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE