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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DANIEL MASTERSON,
Plaintiff,
v.
S. KILLEN, et al.,
Defendants.

Case No. 1:11-cv-01179-SAB (PC)
ORDER DENYING PLAINTIFF’S MOTION
FOR AID OF JUDGMENT PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 69
(ECF No. 211)

Plaintiff Daniel Masterson filed the instant action on July 18, 2011. (ECF No. 1.) At the March 23, 2018 settlement conference, the case settled, with terms stated on the record. (ECF No. 206.) On March 30, 2018, Plaintiff and counsel for all Defendants who appeared in the instant action filed a stipulation for voluntary dismissal of the entire action with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii). (ECF No. 209.) On April 2, 2018, in light of the stipulation for voluntary dismissal, the Court acknowledged that the instant action had been terminated by operation of law and directed the Clerk of the Court to close the action. (ECF No. 210.)

Currently before the Court is Plaintiff’s motion for aid of judgment, filed on April 1, 2019. (ECF No. 211.) In his motion, Plaintiff contends that the California Department of Corrections and Rehabilitation has improperly taken \$1,293.89 from Plaintiff’s inmate trust account to pay for February 9, 2011, May 21, 2012, and January 28, 2013 cost bills, even though there was no court order permitting the agency to take the funds from Plaintiff’s inmate trust account.

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Although Defendants have not had an opportunity to file a response, the Court finds a response is unnecessary, and the motion is deemed submitted. Local Rule 230(l).

Plaintiff asserts that his motion for aid of judgment is brought pursuant to Federal Rule of Civil Procedure 69. Rule 69 prescribes procedures for enforcing monetary judgments entered in federal cases. However, no monetary judgment has been entered in this case. Instead, Plaintiff and Defendants settled this case during a court-supervised settlement conference. Therefore, Rule 69 has no application to this case. Accordingly, Plaintiff's motion for aid of judgment pursuant to Federal Rule of Civil Procedure 69, (ECF No. 211), is HEREBY DENIED.

IT IS SO ORDERED.

Dated: April 2, 2019


UNITED STATES MAGISTRATE JUDGE