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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

DURRELL ANTHONY PUCKETT,  
  
                                Plaintiff,  
  
          v.  
  
LEWIS, et al.,  
  
                                Defendants.

Case No. 1:11-cv-01565 LJO-DLB PC

**ORDER DIRECTING PARTIES TO NOTIFY  
THE COURT WHETHER A SETTLEMENT  
CONFERENCE BEFORE A UNITED STATES  
MAGISTRATE JUDGE WOULD BE  
BENEFICIAL**

**FIFTEEN DAY DEADLINE**

Plaintiff Durrell Anthony Puckett (“Plaintiff”) is proceeding pro se and in forma pauperis in this civil action pursuant to 42 U.S.C. § 1983. Pursuant to the July 25, 2013, Second Scheduling Order, this matter is set for trial on January 7, 2014. The action is proceeding on (1) an Eighth Amendment excessive force claim against Defendants Keener, Johnson, and Guajardo; and (2) a retaliation claim against Defendant Keener based on his ordering of the August 24, 2010, attack, and his alleged destruction of Plaintiff’s legal property.

Within fifteen (15) days from the date of service of this order, Plaintiff and Defendants are each to file a written response indicating whether a Court settlement conference would be beneficial in resolving this action. If both parties agree, the Court will issue a further scheduling order setting this matter for settlement conference before a Magistrate Judge or District Judge from the United States District Court, Eastern District of California.

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The Court notes that Plaintiff requested a settlement conference in February 2013, but the Court denied his request because Defendants' Motion for Summary Judgment was pending at the time.

IT IS SO ORDERED.

Dated: October 18, 2013

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE