

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

MARCO PEREZ,) Case No.: 1:11-cv-1820-BAM (PC)
Plaintiff,)
v.)
R. HUBACH, et al.,) ORDER REGARDING PLAINTIFF'S MOTION
Defendants.) REGARDING SETTLEMENT FUNDS
) (ECF No. 84)
)
)

Plaintiff Marco Perez is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On March 24, 2017 a settlement conference was held in this matter before Magistrate Judge Stanley A. Boone, at which this case settled. (ECF No. 76.) On April 6, 2017 and April 10, 2017, joint stipulations for dismissal with prejudice were filed. (ECF Nos. 79, 81.) On April 11, 2017, all parties having stipulated to a dismissal with prejudice, this case was closed. (ECF No. 82).

Currently before the Court is Plaintiff's motion regarding the settlement funds, filed on November 9, 2017. (ECF No. 84.) Plaintiff states in the motion that he had not received a settlement payment, and inquires of further information regarding the payment of the settlement amount. (ECF No. 84.)

On November 21, 2017, Defendants filed a response to Plaintiff's motion. The response attaches a copy of a letter sent to Plaintiff on November 15, 2017, explaining that the settlement funds were paid and credited to Plaintiff's inmate-trust account as of October 30, 2017. Further, the letter explains that Plaintiff's restitution exceeded the settlement amount, and therefore his restitution

1 balance was credited, the balance was reduced by the settlement amount. As a result, no funds were
2 directly paid to him or his designee.

3 In light of the response provided, the Court finds that Plaintiff has now been provided the
4 information regarding the settlement payment in this case that he requested. No further relief being
5 sought, his motion may now be terminated.

6 Accordingly, it is HEREBY ORDERED that Plaintiff's motion requesting information
7 regarding the settlement payment in this case is GRANTED, as explained above.

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9 IT IS SO ORDERED.

10 Dated: November 27, 2017

11 /s/ *Barbara A. McAuliffe*
12 UNITED STATES MAGISTRATE JUDGE

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