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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BARRY LOUIS LAMON,
Plaintiff,
v.
B. AMRHEIGN, et al.,
Defendants.

Case No. 1:12-cv-00296-DAD-BAM (PC)
ORDER DIRECTING DEFENDANTS TO
RESPOND TO PLAINTIFF’S MOTION
REGARDING TERMS OF SETTLEMENT
(ECF No. 108)

Plaintiff Barry Louis Lamon is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On November 17, 2017 a settlement conference was held in this matter before Magistrate Judge Michael J. Seng, at which this case settled. (ECF No. 104.) On November 20, 2017, defense counsel filed a stipulation for dismissal with prejudice signed by all parties. (ECF Nos. 105.) On November 27, 2017, all parties having stipulated to a dismissal with prejudice, this case was closed. (ECF No. 107).

Currently before the Court is Plaintiff’s motion regarding the terms of the settlement, filed on December 1, 2017. (ECF No. 108.) Plaintiff states in the motion that as part of the settlement terms, he was to be issued a boombox radio with an AM/FM/CD/cassette player. He further states that although he was issued the boombox, only the radio portion is functioning, and the CD and cassette-playing functions do not work. Plaintiff submits documentation in support. Plaintiff argues that as a result of the improperly functioning boombox, the terms of the settlement have not been fulfilled.

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Based on the foregoing, the Court finds it appropriate to require Defendants to respond to Plaintiff's motion.

Accordingly, it is HEREBY ORDERED that Defendants shall file a response to Plaintiff's motion within twenty-one (21) days. If necessary, Plaintiff may file a reply within seven (7) days of service of Defendants' response. The motion will be deemed submitted when the time for a reply has passed. Local Rule 230(1).

IT IS SO ORDERED.

Dated: December 7, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE