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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 DANA GRAY,

12 Plaintiff,

13 vs.

14 ROMERO, et al.,

15 Defendants.
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1:13-cv-01473-DAD-GSA-PC

**ORDER DENYING MOTION AS
PREMATURE
(ECF No. 287.)**

17 Dana Gray (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action
18 pursuant to 42 U.S.C. § 1983.

19 On November 3, 2017, Plaintiff filed a motion for appointment of counsel to represent
20 her at a settlement conference after Plaintiff’s motion for default is resolved, and in the event
21 that the motion for default is granted. (ECF No. 287.) In the alternative, Plaintiff requests the
22 attendance of a peer advocate at the settlement conference. (Id.)

23 The court disfavors motions such as this one, requesting prospective relief conditioned
24 on a series of events which may or may not happen in the future. Plaintiff’s motion is based on
25 speculation that her pending motion for default will be granted and a settlement conference will
26 take place afterward. Such events may or may not happen in the future.¹ Plaintiff’s motion is
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28 ¹ Findings and recommendations to deny Plaintiff’s motion for default were entered on October
20, 2017, and the time for filing objections has not expired. (ECF No. 283.)

1 premature and shall be denied as such. However, Plaintiff is not precluded from renewing the
2 motion at a later stage of the proceedings.

3 Accordingly, Plaintiff's motion, filed on November 3, 2017, is DENIED as premature,
4 without prejudice.

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6 IT IS SO ORDERED.

7 Dated: November 6, 2017

/s/ Gary S. Austin
8 UNITED STATES MAGISTRATE JUDGE