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6 UNITED STATES DISTRICT COURT
7 FOR THE EASTERN DISTRICT OF CALIFORNIA
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9 HECTOR ALEMAN,
10 Plaintiff,
11 v.
12 C/O K. ACOSTA, *et al.*,
13 Defendants.
14

Case No. 1:15-cv-01293-LJO-JDP
ORDER SCHEDULING TELEPHONIC
STATUS CONFERENCE

15 Plaintiff Hector Aleman proceeds without counsel in this civil rights action brought under
16 42 U.S.C. § 1983. Plaintiff states in his complaint that defendants beat him while he was
17 handcuffed. (Doc. No. 1, at 5; *see also* Doc. No. 61, at 3.) Neither side has filed a dispositive
18 motion. The court will schedule a telephonic status conference, and the parties should be
19 prepared to discuss the status of this case and whether a settlement conference could help its
20 resolution.

21 The court will also consider whether recruiting counsel for plaintiff would be appropriate.
22 Plaintiff states that he has a “TABE Score of 3.1”¹ and that he has difficulties understanding
23 “courts requirements.” (Doc. No. 27, at 1-2.) If this case proceeds to trial, ensuring fair
24 adjudication may require counsel for plaintiff. In preparation for the telephonic status
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28 ¹ “The TABE (Tests of Adult Basic Education) scores reflect an inmate’s educational achievement level and are expressed in numbers reflecting grade level.” *Lindsey v. Davey*, No. 17-cv-956, 2017 WL 5198155, at *7 (C.D. Cal. Sept. 22, 2017) (quoting *In re Roderick*, 154 Cal. App. 4th 242, 253 n.10 (2007)).

1 conference, plaintiff should prepare to discuss with the court reasons why he believes that he
2 will prevail, his litigation experience, and any other information that would help the court assess
3 his ability to represent himself in trial.

4 **ORDER**

5 For these reasons,

- 6 1. The court will hold a telephonic status conference on Tuesday, August 7, 2018, at
7 11:00 a.m., before Magistrate Judge Jeremy D. Peterson (dial-in number: 1-888-204-
8 5984; passcode: 444617).
- 9 2. Plaintiff must make arrangements with staff at his institution of confinement to ensure
10 his attendance at the telephonic status conference.
- 11 3. Plaintiff's institution of confinement must make plaintiff available for the telephonic
12 status conference.
- 13 4. Before the hearing, defense counsel must confirm with plaintiff's institution of
14 confinement that plaintiff can attend the telephonic status conference.
- 15 5. The Clerk is directed to send a copy of this order to the litigation coordinator at
16 plaintiff's institution of confinement.

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19 IT IS SO ORDERED.

20 Dated: July 18, 2018

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22 UNITED STATES MAGISTRATE JUDGE