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2
3 **UNITED STATES DISTRICT COURT**
4 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

5 **IN RE THE CONTEMPT OF SALMA AGHA-**
6 **KHAN, Plaintiff**

1:17-CV-011-DAD

7 **ORDER PURSUANT TO STATUS**
8 **CONFERENCE RE CRIMINAL**
9 **CONTEMPT**

10 On February 9, 2017, the Court issued an Order to Show Cause re Criminal Contempt (“OSC”),
11 explaining that the Court “the Court will hold a hearing to determine whether Plaintiff should be held in
12 criminal contempt for the language contained in [her] filings in this case.” Doc. 4 at 1. The Court set a
13 status conference for the matter on March 22, 2017. Doc. 22.

14 At the status conference, the U.S. Attorney’s Office stated that it is still evaluating whether it
15 will proceed with the Court’s request to prosecute Plaintiff for contempt, and requested more time to
16 commit.

17 As explained on the record in open Court during that status conference, Plaintiff emailed the
18 undersigned’s judicial assistant on the morning of March 22, 2017,¹ stating: “This request for injunctive
19 relief [attached as a PDF document] was filed with Ninth Circuit on March 06, 2017. A copy was mailed
20 to Judge O’Neill. Thus today’s hearing Re: Criminal Contempt should be off the calendar. Also Appeal
21 was sent to Supreme Court for filing.” The undersigned’s judicial assistant responded: “Filing the
22 motion does not stay the proceedings in this court. Please be advised, if you do not appear for your
23 hearing today, Judge O’Neill will be issuing a bench warrant for your arrest.” Plaintiff responded:
24 “Thanks. But he has no jurisdiction as he is not a Judge on my case. So he is acting as an individual and

25 ¹ The email chain between Plaintiff and the undersigned’s judicial assistant are attached to this Order.

1 is threatening me. This is what I was told by certain investigating authorities.”

2 Plaintiff did not appear at the status conference. Accordingly, the Court issued a warrant for her
3 arrest with bail set at \$50,000.

4 The Court will hold a status conference for April 11, 2017, at 10:00A.M. to discuss the U.S.
5 Attorney’s Office’s prosecutorial position and how the parties intend to proceed. The Plaintiff is
6 encouraged to have counsel at that hearing.

7
8 IT IS SO ORDERED.

9 Dated: March 22, 2017

/s/ Lawrence J. O’Neill
UNITED STATES CHIEF DISTRICT JUDGE



Re: FYI
 Salma Agha
 to:
 NHayen
 03/22/2017 08:57 AM
 Hide Details
 From: Salma Agha <salmahagha@aol.com>
 To: NHayen@caed.uscourts.gov
 History: This message has been forwarded.

Thanks. But he has no jurisdiction as he is not a Judge on my case. So he is acting as an individual and is threatening me. This is what I was told by certain investigating authorities.

-----Original Message-----

From: NHayen <NHayen@caed.uscourts.gov>
 To: Salma Agha <salmahagha@aol.com>
 Sent: Wed, Mar 22, 2017 7:46 am
 Subject: Re: FYI

Dr. Agha-Khan,

Filing the motion does not stay the proceedings in this court. Please be advised, if you do not appear for your hearing today, Judge O'Neill will be issuing a bench warrant for your arrest.

Natalie A. Hayen
 Judicial Assistant and Staff Attorney to
 Chief District Judge Lawrence J. O'Neill
 Robert E. Coyle United States Courthouse
 2500 Tulare Street
 Fresno, California 93721
 559.499.5793

From: Salma Agha <salmahagha@aol.com>
 To: nhayen@caed.uscourts.gov
 Date: 03/22/2017 06:26 AM
 Subject: FYI

Good Morning,

This request for injunctive relief was filed with Ninth Circuit on March 06, 2017 A copy was mailed to Judge O'Neill. Thus today's hearing Re: Criminal Contempt should be off the calendar. Also Appeal was sent to Supreme Court for filing.

Thanking You,
 Salma Agha-Khan, MD.[attachment "Appeal_Doc60_Emergency_Motiion_TRO_3_6_2017.pdf"
 deleted by Natalie Hayen/CAED/09/USCOURTS]