

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER DICKSON,) Case No.: 1:17-cv-00294-DAD-BAM (PC)
Plaintiff,)
v.) ORDER LIFTING STAY OF PROCEEDINGS
G. GOMEZ, et al.) ORDER VACATING NOVEMBER 15, 2019
Defendants.) SETTLEMENT CONFERENCE
) (ECF No. 33)
)
) ORDER DIRECTING CLERK TO ISSUE
) DISCOVERY AND SCHEDULING ORDER
)
)

Plaintiff Christopher Dickson is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action currently proceeds on Plaintiff's second amended complaint for excessive force against Defendants Gomez, Rios, and Martinez, for violations of Plaintiff's due process rights against Defendants Duncan and Esparza, and for deliberate indifference to serious medical needs against Defendant Sao.

On September 11, 2019, the Court identified this case as an appropriate case for the post-screening ADR (Alternative Dispute Resolution) project and stayed the action to allow the parties an opportunity to settle their dispute before the discovery process begins. (ECF No. 33.) The Court's order granted Defendants time to investigate and determine whether to opt-out of the post-screening ADR project.

111

On October 8, 2019, Defendants filed a notice to opt-out of the Court’s post-screening ADR project and to vacate the settlement conference currently scheduled for November 15, 2019. (ECF No. 34.) After reviewing the request, the Court finds good cause to grant Defendants’ request. Therefore, the stay of this action is lifted, and the November 15, 2019 settlement conference is vacated. This case is now ready to proceed.

Accordingly, IT IS HEREBY ORDERED that:

1. The stay of this action, (ECF No. 33), is LIFTED;
2. The November 15, 2019 settlement conference is VACATED;
3. The Clerk is directed to issue a discovery and scheduling order for this case; and
4. The parties may proceed with discovery and the filing of dispositive motions pursuant to the discovery and scheduling order.

IT IS SO ORDERED.

Dated: **October 9, 2019**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE