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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JERRY LEE KING,  
  
                                Plaintiff,  
  
              v.  
  
R. VILLEGAS and P. CRUZ,  
  
                                Defendants.

Case No. 1:17-cv-00676-AWI-EPG (PC)  
  
ORDER RE: PLAINTIFF’S NOTICE OF  
SUBMISSION OF CONFIDENTIAL  
SETTLEMENT CONFERENCE  
STATEMENT  
  
(ECF NO. 43)

Jerry King (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On December 17, 2018, Plaintiff filed a notice of submission of confidential settlement conference statement. (ECF No. 43). Plaintiff states that he submitted his confidential settlement conference statement in an envelope marked confidential, but that the Clerk of Court opened the envelope, stamped it as received, and sent it back with a habeas corpus petition. Plaintiff asks what he is supposed to do now.

It is unclear why the Clerk of Court would return Plaintiff’s confidential settlement conference statement to him, with a habeas petition attached. This is not the standard practice and the Clerk’s office does not have a record of doing so.

In any event, the settlement conference statement was not filed, and the Court does not have a copy of it. Plaintiff should resubmit the confidential settlement conference statement at least seven days prior to the date of the settlement conference.

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Plaintiff should make sure that the document in clearly labeled as a confidential settlement conference statement with the correct case number.

IT IS SO ORDERED.

Dated: December 19, 2018

/s/ Eric P. Groj  
UNITED STATES MAGISTRATE JUDGE