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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID BRANDON RAMSEY,
Plaintiff,
v.
A. DICKERSON, et al.,
Defendants.

No. 1:19-cv-00666 KES GSA (PC)
ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S REQUEST FOR CHANGE OF VENUE
(ECF No. 74)
ORDER VACATING JUNE 3, 2024, SETTLEMENT CONFERENCE DATE
(ECF No. 72)
ORDER VACATING WRIT OF HABEAS CORPUS AD TESTIFICANDUM
(ECF No. 73)

Plaintiff David Brandon Ramsey is a civil detainee and former state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This matter is at the settlement conference stage of the proceedings. See ECF No. 72. A settlement conference is calendared for June 3, 2024, in Corcoran, California. Id.

Plaintiff has filed a motion for a change of venue. ECF No. 74. For the reasons stated below, the motion will be granted in part and denied in part. In addition, the Court will vacate the settlement conference date (ECF No. 72) and the writ of habeas corpus ad testificandum (ECF No. 73). The settlement conference will be rescheduled and an appearance writ will be reissued

1 at a later date.

2 I. PLAINTIFF'S REQUEST FOR CHANGE OF VENUE

3 On May 3, 2024, Plaintiff's request for a change of venue was docketed. ECF No. 74. In
4 support of it, Plaintiff states that the June 3, 2024, settlement conference date conflicts with a civil
5 commitment trial he will have in Monterey County. Id. at 1. The commitment trial, he asserts, is
6 scheduled to begin on May 28, 2024, and to continue until approximately June 24, 2024. Id.

7 Based on these facts, Plaintiff requests that he be permitted to appear via Zoom or via
8 some other means that accommodates everyone for the June 3rd settlement conference. ECF No.
9 74 at 1 & 2. He states that he has spoken with prison officials at the Monterey County Jail and
10 that they are able to accommodate this request. Plaintiff further states that he has attempted to
11 contact defense counsel in order to alert them of this request but he has not been successful in
12 reaching them. Id. at 2.

13 II. DISCUSSION

14 Plaintiff has provided good cause to grant his request in part. Plaintiff's case is one of
15 several for which the Court will hold settlement conferences on June 3, 2024, in Corcoran,
16 California. Because those conferences will be held in person, logistically it may be difficult for
17 Plaintiff's conference to be conducted via Zoom on that day. At the same time, the Court
18 acknowledges the importance of Plaintiff attending his civil commitment trial and doing so
19 without interruption. Therefore, the Court will take Plaintiff's settlement conference, now
20 scheduled for June 3, off calendar. Once Plaintiff has completed his civil commitment trial and
21 has been returned to the hospital where he is currently housed, the settlement conference will be
22 rescheduled.

23 Therefore, the Court will vacate both the settlement conference date (ECF No. 72) and the
24 appearance writ (ECF No. 73), and Plaintiff will be ordered to inform the Court, within 14 days
25 after his civil commitment trial has been completed and he has been returned to Coalinga State
26 Hospital, of his return. Thereafter, the Court will reschedule the settlement conference and
27 reissue the appearance writ.

28 Accordingly, IT IS HEREBY ORDERED that:

1 1. Plaintiff's motion for a change of venue is GRANTED IN PART and DENIED IN
2 PART as follows:

3 a. GRANTED IN PART to the extent that it requests that the settlement conference
4 take place at a different location; and

5 b. DENIED IN PART to the extent that it requests that the settlement conference take
6 place on June 3, 2024, via Zoom or some other means;

7 2. The settlement conference date of June 3, 2024 (ECF No. 72), is hereby VACATED,
8 to be rescheduled at a later date;

9 3. The appearance writ issued by the Court on April 30, 2024 (ECF No. 73) is hereby
10 VACATED, to be reissued at a later date, and

11 4. Within fourteen days of the conclusion of Plaintiff's civil commitment trial and his
12 return to Coalinga State hospital, Plaintiff shall inform the Court so that it may calendar a new
13 date for the settlement conference.

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16 IT IS SO ORDERED.

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18 Dated: May 9, 2024

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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