

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN WILLIAMS,

Plaintiff,

No. 2:03-cv-2044 LKK JFM (PC)

vs.

NORMAN BARON, C.M.O., et al.,

Defendants.

ORDER

_____/

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On February 25, 2009, plaintiff filed a document styled “Motion and Motion for Fee Compliance and Fee Monitoring.” In that motion, plaintiff appears to argue, alternatively, that defendants who have been dismissed from this action are entitled to attorneys’ fees as well as court fees and costs, and that plaintiff is entitled to such an award. Plaintiff is not entitled to seek attorneys’ fees, court fees or costs on behalf of any defendant, and no defendant has filed a motion for such fees and costs. All but one of the defendants served in this action have been dismissed. None of the reasons for dismissal would support an award of attorneys’ fees, court fees, or costs to plaintiff. The sole remaining defendant is deceased and plaintiff has been granted one additional period of time in which to attempt to identify a party that might be substituted for this defendant. See Order filed February 10, 2009. Plaintiff is not entitled to an

1 award of attorneys' fees, court fees or costs against that defendant at this time.

2 For all of the foregoing reasons, IT IS HEREBY ORDERED that plaintiff's
3 February 25, 2009 motion is denied.

4 DATED: April 1, 2009.

5
6 
7 UNITED STATES MAGISTRATE JUDGE

8 ¹²
9 will2044.afden

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26