

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


ALLEN ELSETH, by his guardians)	
ad litem, Roger Elseth and)	2:08-cv-02890-GEB-CMK
Patricia Ann Elseth,)	
)	
Plaintiff,)	<u>ORDER CONTINUING TRIAL;</u>
)	<u>SETTING HEARING</u>
v.)	
)	
Deputy Probation Officer Jeff)	
Elorduy, individually,)	
)	
Defendant.)	
_____)	

Plaintiff's counsel ("Mr. Lynch") emailed a document to the Courtroom Deputy ("CRD") at approximately 3 p.m. on August 29, 2011, requesting reconsideration regarding the use of videoconferencing or, in the alternative, a trial continuance to allow production of Plaintiff at trial (the "Request"). I directed the Clerk's Office to file the Request on the public docket even though it is Plaintiff's responsibility to file the document and to include the appropriate caption and other required information. Plaintiff and Mr. Lynch are warned that any such document will be disregarded without consideration in the future.

However, in light of Plaintiff's Request and the indication that Mr. Lynch will be unable to produce Plaintiff at the trial set to commence on August 30, 2011 at 9 a.m., a jury will not be summoned on August 30 and the trial will be continued one day to August 31, 2011,

1 commencing at 9 a.m. Further, a hearing on the Request will be
2 commenced at 11 a.m. on August 30, 2011. Any response to Mr. Lynch's
3 Request should be made as soon as practicable before the scheduled
4 hearing.

5 Dated: August 29, 2011

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8 GARLAND E. BURRELL, JR.
United States District Judge