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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN WESLEY WILLIAMS,

No. 2:09-cv-00784 JAM AC

Plaintiff,

v.

ORDER

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,

Defendants.

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On October 23, 2013, the district judge adopted this court’s finding and recommendations (ECF No. 49), revoked plaintiff’s in forma pauperis status, and directed plaintiff to pay the three-hundred fifty dollar filing fee within twenty-eight days. ECF No. 57. Plaintiff appealed that order. ECF Nos. 58 & 59.

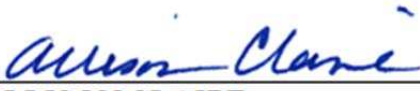
On April 27, 2016, the parties notified the court that they had reached a conditional settlement through the Ninth Circuit Mediation Program and asked the court, pursuant to Federal Rule of Civil Procedure 60(b), to vacate the October 23, 2013 order. ECF No. 61. On May 25, 2017, before the motion was ruled on, the parties withdrew their motion without elaborating on their reasons for doing so. ECF No. 62. Since that date, the parties have not notified the court of any other developments, nor have they requested any other relief. The court has reviewed the

1 docket for the Ninth Circuit case. The last entry – dated April 12, 2016 - dismisses the appeal
2 without prejudice to reinstatement in the event the district court denied the parties’ request to
3 vacate the judgment. John Williams v. N. Grannis, et al., Ninth Circuit Case No. 13-17373,
4 Docket No. 39.

5 Given that the October 23, 2013 order directing plaintiff to pay the filing fee has not been
6 overturned or vacated, the court will provide plaintiff with thirty days to comply therewith and
7 submit the filing fee. If he fails to do so, or to request a reasonable extension of time to do so, the
8 court will recommend that this action be dismissed.

9 IT IS SO ORDERED.

10 DATED: September 11, 2017

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12 ALLISON CLAIRE
13 UNITED STATES MAGISTRATE JUDGE
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