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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PAUL D. ROBERTS,
Plaintiff,
v.
M.D. McDONALD, et al.,
Defendants.

No. 2:11-cv-00474-MCE-DAD P

ORDER

This is a prisoner civil rights action that Plaintiff and Defendants voluntarily dismissed pursuant to a settlement agreement in September 2014. Plaintiff has since filed two motions seeking enforcement of the settlement agreement. ECF Nos. 97, 99.¹

Plaintiff claims that he settled this case for \$4,150.00 and another case (Roberts v. CDCR, 2:12-cv-0247-KJM-AC (PC)) for \$1,000.00. Plaintiff states in his motions that he has thus far received only \$257.50 (and \$150 of that amount went towards payment of his only restitution fine). Plaintiff seeks payment of the remaining \$4,892.50 owed to him under the settlement agreement. Defendants have not responded to Plaintiff's allegations.

¹ Although Plaintiff labels his filings as motions to re-open this case, the substance of the motions indicates that he actually seeks enforcement of his settlement agreement. See, e.g., Pl.'s Mot. at 2 ("plaintiff seeks to re-open this case to [e]nforce payment of the settlement agreements"). Cf. Fed. Rules Civ. P. 59 and 60.

1 Defendants are hereby ORDERED to file a response to Plaintiff's allegation that
2 they have not paid the remaining \$4,892.50 owed to Plaintiff under the settlement
3 agreement. Defendants' response is due ten (10) days from the date this order is
4 electronically filed.

5 IT IS SO ORDERED.

6 Dated: May 13, 2015

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MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT