

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
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAMUEL ANDERSON,
Plaintiff,
v.
J. CLARK KELSO, et al.,
Defendants.

No. 2: 12-cv-0261 MCE KJN P

ORDER

Plaintiff is a state prisoner, proceeding through counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. On November 22, 2013, plaintiff himself filed a document titled “Motion of Abandonment.” (ECF No. 154.) Plaintiff alleges that his lawyer has not responded to several letters sent to him by plaintiff. (Id.) On December 26, 2013, plaintiff himself filed a document titled “Motion to Diligence.” (ECF No. 156.) In this motion, plaintiff requests that the court set a pretrial conference and trial date. (Id.)

Because plaintiff is represented by counsel, he may only communicate with the court through counsel. After reviewing the docket, it does not appear that counsel has “abandoned” plaintiff. Court records indicate that plaintiff’s counsel has conducted depositions. Court records also indicate that the court granted the request by plaintiff’s counsel to incur costs.

///
///

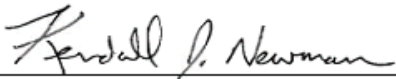
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's "motion of abandonment" (ECF No. 154) and "motion to diligence" (ECF No. 156) are disregarded; and
2. The Clerk of the Court is directed to serve a copy of this order on plaintiff Samuel Anderson, V-84409, California State Prison-Lancaster, P.O. Box 8457, Lancaster, California, 93539.

Dated: January 8, 2014

an261.ord


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE