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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HENRY A. JONES,
Plaintiff,
v.
G. WHITTED, et al.,
Defendants.

No. 2:12-cv-2695 MCE KJN P

ORDER

Plaintiff, a state prisoner incarcerated at California State Prison-Los Angeles County, has filed a second request for appointment of counsel. (See ECF No. 25.) Plaintiff proceeds in forma pauperis in this civil rights action, brought pursuant 42 U.S.C. § 1983. Plaintiff challenges the conduct of three prison officials at California State Prison-Sacramento (G. Whitted, J. Jones and D. Reed), when plaintiff was incarcerated there in 2011. This action proceeds on the following claims: excessive force against Jones and Whitted; retaliation against defendants Jones and Reed; deliberate indifference to plaintiff's health and safety, and conspiracy to violate plaintiff's constitutional rights, against all three defendants. (See ECF No. 15 at 4-5.)

Review of plaintiff's instant request indicates that it may meet the concerns of this court when it denied, without prejudice, plaintiff's first request for appointment of counsel, particularly the need for current medical evidence demonstrating plaintiff's alleged psychological and cognitive limitations. (See ECF No. 19.) However, before deciding whether to appoint counsel

1 for plaintiff in this action, the court would like to determine the parties' willingness to participate
2 in a settlement conference.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Within fourteen (14) days after the filing date of this order, plaintiff and defense
5 counsel shall file separate statements indicating the following:


6 a. Whether a settlement conference may be helpful in resolving this action; and

7 b. If so, whether the parties waive the disqualification of the undersigned magistrate
8 judge to conduct the conference, or request that another magistrate judge be assigned for this
9 purpose.

10 SO ORDERED.

11 Dated: March 18, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE