UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA ALONZO JAMES JOSEPH, No. 2:14-cv-414-GEB-AC P Plaintiff, **ORDER** v. T. PARCIASEPE, Defendant. On January 18, 2017, the undersigned conducted a settlement conference in this matter, in

On January 18, 2017, the undersigned conducted a settlement conference in this matter, in the course of which the case was settled. (ECF No. 56.) At the time, the undersigned advised plaintiff that payment pursuant to the terms of the settlement could take up to six (6) months, and that he should contact defendant's counsel if payment has not yet occurred by that point. On January 23, 2017, the case was dismissed pursuant to the parties' stipulation of dismissal. (ECF Nos. 57, 58.)

Thereafter, on March 27, 2017, the court received a letter from plaintiff dated March 22, 2017, indicating that he has not yet received payment and that defendant's counsel has not responded to a letter from plaintiff inquiring regarding payment. (ECF No. 59.) Plaintiff acknowledges that only approximately 63 days had passed since the settlement conference at the

time that he sent the March 22, 2017 letter, but nonetheless seeks the court's intervention. (Id.)

As plaintiff was advised at the settlement conference, payment can take up to six (6) months to occur. Therefore, plaintiff's request for court intervention is premature. Plaintiff shall wait until expiration of the six (6) month period before contacting defendant's counsel. If, at that juncture, payment has not yet occurred, and plaintiff does not receive a response from defendant's counsel within a reasonable period of time, plaintiff may renew his request for court intervention at that time.

Accordingly, IT IS HEREBY ORDERED that plaintiff's request for court intervention with respect to payment pursuant to the settlement agreement (ECF No. 59) is DENIED WITHOUT PREJUDICE as premature.

Dated: April 6, 2017

KENDALL J. NEWMAN

UNITED STATES MAGISTRATE JUDGE