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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT GRAY,
Plaintiff,
v.
B. BJORNSEN, et al.,
Defendants.

No. 2: 16-cv-0728 KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. This action is set for a settlement conference before the undersigned on October 26, 2017.

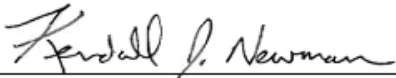
On October 18, 2017, plaintiff filed a letter with the court stating that he was recently transferred to a new prison yard. (ECF No. 30.) Plaintiff alleges that because of this transfer, he is no longer housed with the prisoner who assisted him in prosecuting this action. (Id.) Plaintiff alleges that he is unable to prepare the settlement statement on his own. (Id.) Based on these circumstances, plaintiff requests that the court appoint legal representation to assist him at the settlement conference. (Id.)

The undersigned finds that appointment of counsel to assist plaintiff at the settlement conference is not warranted. Plaintiff has not demonstrated that exception circumstances exist warranting appointment of counsel. See 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d

1 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). The
2 settlement conference may be conducted without a settlement statement from plaintiff.

3 Accordingly, IT IS HEREBY ORDERED that plaintiff's request for appointment of
4 counsel to represent him at the settlement conference (ECF No. 30) is denied. Plaintiff is relieved
5 of any obligation to file a statement prior to the settlement conference.

6 Dated: October 20, 2017

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9 KENDALL J. NEWMAN
10 UNITED STATES MAGISTRATE JUDGE

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