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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,
Plaintiff,
v.
HASMUKHBAI PATEL AND
DAMYANTIBAN PATEL,
Defendants.

No. 2:17-cv-00573-KJM-CKD

ORDER

On January 8, 2020, the court held a judgment-debtor examination in this matter. (ECF No. 46.) Plaintiff appeared through counsel and defendants, who proceed without counsel, failed to appear. (Id.)

At the hearing plaintiff requested the court issue a bench warrant against defendant Damyantiban Patel due to her failure to appear at multiple hearings. (Id.) The court took the matter under submission, and asked plaintiff to provide authority for issuing a bench warrant in similarly-situated cases. (Id.) Plaintiff did not provide the court with authority, but rather filed a “proposed certification of facts of contempt” and a proposed order, neither of which cite to any statute or case law. (See ECF No. 47.)

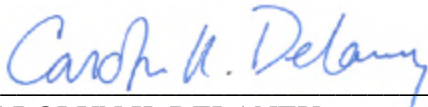
After considering the nature of this case, the stage of litigation, and defendant’s pro se status, the court declines to issue a bench warrant for defendant at this time.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's request that a bench warrant be issued for defendant is DENIED.

Dated: January 22, 2020



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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