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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN HARDNEY,

 Plaintiff,

 v.

T. GRIFFITH, et al.,

 Defendants.

No. 2:17-cv-2462 MCE AC P

ORDER

This prisoner civil rights case was closed on July 17, 2019, the day after the parties filed a joint stipulation for dismissal. See ECF Nos. 26, 27. The stipulation and order directed that plaintiff’s claims against all defendants – Griffith, Matson, Rhoades, Gruenwald, Gold and Vasquez – be dismissed with prejudice. Id. Although the court held a mediation conference in this case on April 24, 2019, the parties later reached their settlement agreement independently.

On December 15, 2019,¹ plaintiff filed and served a motion for court order directing defendants to comply with their settlement agreement to compensate plaintiff \$2000. ECF No. 28. Plaintiff stated that the parties agreed to settle this case on June 27, 2019 and that plaintiff would receive his settlement payment within six months. As of December 15, 2019, plaintiff had not received payment.

¹ Under the prison mailbox rule, a document is deemed filed and served on the date it was signed by the prisoner and given to prison officials for mailing. Houston v. Lack, 487 U.S. 266 (1988).

1 By order filed January 8, 2020, this court directed defendants to file a response to
2 plaintiff's motion. ECF No. 29. In their response filed January 22, 2020, defendants' counsel
3 filed a declaration explaining that plaintiff received his settlement payment on December 27,
4 2019. ECF No. 30. Plaintiff was granted 14 days to file a reply to defendants' response. ECF
5 No. 29 at 2. That period, plus adequate time for service by mail, has expired. Plaintiff's failure
6 to file a reply supports the reasonable inference that all conditions of the settlement in this case
7 have been satisfied.

8 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for execution of
9 payment, ECF No. 28, is denied as moot; this case shall remain closed.

10 DATED: February 12, 2020

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12 ALLISON CLAIRE
13 UNITED STATES MAGISTRATE JUDGE
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