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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LONNIE LEE POSLOFF, JR.,
Plaintiff,
v.
DAVID BAUGHMAN, et al.,
Defendants.

No. 2:19-cv-2243 KJN P

ORDER

On November 6, 2023, plaintiff filed a motion to recover costs. Plaintiff claims he was “under the impression and was told by defendant’s counsel that the filing fees were to be covered by the settlement check once received.” (ECF No. 27 at 2.) However, the record reflects that this action was settled at a settlement conference on October 27, 2020. (ECF No. 21.) Contrary to plaintiff’s motion, the stipulation for voluntary dismissal of this action states: “Each party shall bear its own litigation costs and attorney’s fees.” (ECF No. 22 at 2.) In addition, the stipulation did not state that plaintiff was the prevailing party; rather, the parties settled the matter.

Further, on June 30, 2023, plaintiff was informed that the stipulation for dismissal did not incorporate the terms of the settlement agreement or provide that this court retain jurisdiction over the matter.¹ (ECF No. 26.)

¹ The judge who held the settlement agreement also stated that plaintiff’s settlement proceeds appear to have been properly disbursed. (ECF No. 26 at 2 n.1.)

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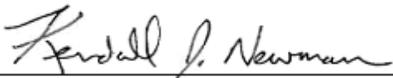
For the above reasons, plaintiff's motion is denied.

This civil rights action was closed on November 4, 2020. Plaintiff is advised that documents filed by plaintiff since the closing date will be disregarded and no orders will issue in response to future filings.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion (ECF No. 27) is denied; and
2. No orders will issue in response to future filings.

Dated: November 15, 2023


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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