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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MALCOLM STRICKLAND,  
  
Plaintiff,  
  
v.  
  
A. JENKINS, et al.,  
  
Defendants.

No. 2:22-cv-0898 DB P

ORDER

Plaintiff is a former state prisoner proceeding with a civil rights action under 42 U.S.C. §1983. Plaintiff alleges defendant Jenkins sexually assaulted him in violation of the Eighth Amendment. He further alleges defendants Jenkins, Janam, and Rich retaliated against him in violation of the First Amendment. On November 16, 2022, this court referred this case to the court’s Post-Screening ADR Project and stayed these proceedings for 120 days. Defendants now move to opt out of the post-screening ADR project. Defendants’ counsel states that after reviewing the case and discussing it with plaintiff, he feels that a dispositive motion should resolve this case and a settlement conference would not be productive at this time. This court finds defendants have established good cause to opt out of the ADR project.


Accordingly, IT IS HEREBY ORDERED that:

1. Defendants’ motion to opt out (ECF No. 19) is granted and the stay of this action is lifted; and

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2. Within sixty days from the date of this order, defendants shall file a responsive pleading.

Dated: January 18, 2023



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DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

DLB:9  
DB Prisoner Inbox/Civil Rights/R/stri0898.opt out