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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WONDIYRAD KABEDE,)	No. C 07-3656 TEH (PR)
)	
Plaintiff,)	ORDER DIRECTING DEFENDANTS
)	TO RESPOND TO PLAINTIFF’S
v.)	MOTION AND INSTRUCTIONS TO
)	THE CLERK
ROBERT A. HOREL, et al.,)	
)	(Docket No. 19)
Defendants.)	
<hr style="width: 30%; margin-left: 0;"/>)	

Plaintiff, a California prisoner proceeding pro se and incarcerated at Pelican Bay State Prison (“PBSP”), filed this civil rights action under 42 U.S.C. § 1983. After a review of the complaint, Plaintiff’s allegations against PBSP officials were found to state cognizable claims for a violation of his Eighth Amendment right to be free from cruel and unusual punishment and were served on Defendants. On November 8, 2007, the case was referred to the Pro Se Prisoner Mediation Program for mediation proceedings. Thereafter, Magistrate Vadas informed the Court that the case had been settled and Judge Jenkins entered an order of conditional dismissal providing for dismissal of the case within ninety days, absent a motion from the parties that consideration for the settlement had not been provided (docket no. 15).

Plaintiff subsequently filed a letter with the Court contesting the settlement (docket no. 16), a motion for reconsideration regarding the conditional dismissal (docket no. 19), a

1 notice of additional documents requesting Court review (docket no. 20) and an additional
2 letter (docket no. 21). It is unclear whether these documents were served on Defendants.
3 The case was reassigned to this Court on January 6, 2009.

4 Therefore, the Court now orders Defendants to respond to Plaintiff's motions within
5 thirty days of the date of this order. The Clerk of Court shall serve copies of docket numbers
6 16 and 19-21 on Defendants' counsel.

7 SO ORDERED.

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9 DATED: 01/23/09



THELTON E. HENDERSON
United States District Judge

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