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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 DENNIS L. JAMES,

No. C 10-01795 SI

9 Plaintiff,

ORDER

10 v.

11 MAGUIRE CORRECTIONAL FACILITY,

12 Defendant.
13 _____/

14 After the court granted in part and denied in part defendants' motion for summary
15 judgment, this action was referred to the *pro se* prisoner mediation program so that the parties
16 could attempt to resolve the matter. In the several months since the referral, plaintiff repeatedly
17 has been in and out of custody, and that has resulted in settlement conferences repeatedly being
18 reset. The settlement conference now set for April 19, 2012 is the fourth attempt to hold a
19 conference. The remaining defendant recently filed a motion for summary judgment, which
20 plaintiff has opposed. In order to move this action toward resolution, the best course is to
21 withdraw the referral of the action from the *pro se* prisoner mediation program and adjudicate
22 the pending motion for summary judgment. If the action survives the pending summary
23 judgment motion, the court then will consider whether to refer it again to the *pro se* prisoner
24 mediation program. Accordingly:

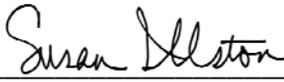
25 1. The referral of this action to the court's *pro se* prisoner mediation program is
26 WITHDRAWN. The mediation/settlement conference set for April 19, 2012 is VACATED.
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2. Defendant must file and serve on plaintiff any reply brief in support of the motion for summary judgment no later than **April 6, 2012**.

IT IS SO ORDERED.

Dated: March 15, 2012



SUSAN ILLSTON
United States District Judge