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11 Attorneys for Defendant  
12 City of San Pablo, Officer Melvin Smith, Detective Neece and  
13 Detective Pamplona

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

16 KAYLE HOWARD,  
17  
18 Plaintiff,  
19  
20 vs.

Case No. C10-05655 LB

**JOINT STATUS UPDATE REGARDING  
PENDING CRIMINAL ACTION AGAINST  
PLAINTIFF : ORDER**

21 MICHAEL DALISAY, F. CULLEY,  
22 DETECTIVES DAVID NEECE,  
23 PAMPLOMA INDIVIDUALLY, AND IN  
24 HIS CAPACITY AS AN EMPLOYEE OF  
25 THE ALAMEDA COUNTY SHERIFF'S  
26 OFFICE, OFFICER SUSAN SMITH OF  
27 THE CITY OF SAN PABLO POLICE  
28 DEPARTMENT, THE CITY OF SAN  
PABLO, AND DOES 1-20,  
Defendants.

Judge: Hon. Laurel Beeler

The parties, by and between their respective counsel of record, and per Plaintiff in pro per KAYLE HOWARD ("Plaintiff"), hereby provide the Court with a joint status update of this matter.

This matter is currently stayed per Defendants' Motion to Stay this matter pending the outcome and completion of the pending criminal case against Plaintiff, a motion granted by the Court. See Docket Document No. 58 (e-filed 4/19/11). Recently, Mr. Blechman was informed, by Plaintiff via telephone, that the trial date in Plaintiff's pending criminal case was continued once again from August 20, 2012, to November 19, 2012.

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1 Therefore, to the extent that the criminal charges against Plaintiff Howard are still  
2 pending, the parties request that the stay in this matter should remain in effect and the parties  
3 agree to provide a further joint status update to the Court by mid-December of 2012, regarding  
4 the status of the pending criminal proceedings against Plaintiff Howard, set for trial on November  
5 19<sup>th</sup>. Should Plaintiff Howard's criminal case resolve prior to November 19<sup>th</sup>, Plaintiff Howard  
6 shall notify defense counsel in this civil case and the parties shall thereafter file a further joint  
7 status update with the Court as soon as feasible.

8  
9 Dated: August \_\_, 2012

PLAINTIFF IN PRO PER

10  
11 By: Kayle Howard 8/23/2012  
KAYLE HOWARD, Plaintiff in Pro Per

12  
13  
14 Dated: August 20, 2012

McNAMARA, NEY, BEATTY, SLATTERY,  
BORGES & AMBACHER LLP

15  
16 By: /s/ Noah G. Blechman  
James V. Fitzgerald, III  
Noah G. Blechman  
Attorneys for Defendant  
THE CITY OF SAN PABLO

17  
18  
19 Dated: August 20, 2012

OFFICE OF THE COUNTY COUNSEL, COUNTY OF ALAMEDA

20  
21 By: /s/ Raymond MacKay  
Raymond L. MacKay  
ALAMEDA COUNTY SHERIFF'S OFFICE,  
MICHAEL DALISAY and FENTON CULLEY

22  
23  
24 Date: August 28, 2012

