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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
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8 DENNIS LAMAR JAMES, JR.,

No. C 13-1092 SI (pr)

9 Plaintiff,

**ORDER RESETTING CASE
MANAGEMENT CONFERENCE**

10 v.

11 HAYWARD POLICE DEPARTMENT;
12 et al.,

13 Defendants.
14 _____/

15 In this action, plaintiff contends that he was unlawfully arrested and subjected to
16 excessive force by members of the Hayward Police Department on March 23, 2011. Defendants
17 have moved for summary judgment. On July 1, 2014, the court stayed the action due to
18 plaintiff's temporary placement at Napa State Hospital, set a case management conference for
19 December 11, 2014, and required plaintiff to provide a telephone number at which he could be
20 contacted for the case management conference. Docket # 26. In a second case he filed, plaintiff
21 recently sent to the court a notice in which he provided the requested telephone number and
22 stated that (a) he remains at Napa State Hospital undergoing treatment, (b) he has no set release
23 date, (c) he has an upcoming court date on December 5, 2014, and (d) he was found not guilty
24 by reason of insanity of an unidentified crime. Docket # 40 in *James v. Oakland Police Dept.*,
25 Case No. C 13-011 SI.

26 In light of the foregoing, and for the reasons stated in the order to stay proceedings, the
27 court concludes that lifting the stay or holding a case management conference would not be
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1 beneficial at this point in time. The preferable course is to keep the stay in place and set a case
2 management conference in several months to reassess the situation. Accordingly,


3 (1) The case management conference set for December 11, 2014 is VACATED.
4 A case management conference will be held at **4:15 p.m. on Wednesday, April 29, 2105.**

5 (2) Plaintiff must notify the court and opposing counsel for all defendants
6 within **ten days** of his release from Napa State Hospital, regardless of whether that release is to
7 county jail, state prison or elsewhere.

8 (3) Plaintiff must file a notice no later than **January 9, 2015** in which he
9 identifies the crime(s) of which he was found not guilty by reason of insanity at the trial in July
10 2013. This information will give the court some information about how long plaintiff may be
11 at the hospital.

12 IT IS SO ORDERED.

13 Dated: November 17, 2014



SUSAN ILLSTON
United States District Judge