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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FREDERICK WILSON, JR.,
Plaintiff,
v.
WILLIAM L. MUNIZ,
Defendant.

Case No. [16-cv-03366-JSC](#)

**ORDER DENYING PLAINTIFF'S
MOTIONS TO INTERPLEAD
AND FOR PROMISSORY NOTE**

Re: Dkt. Nos. 39, 41

Plaintiff is a California prisoner proceeding pro se who filed this civil rights case under 42 U.S.C. § 1983. Plaintiff’s motion for summary judgment and Defendant’s motion for judgment on the pleadings are under submission. Plaintiff has filed a motion to interplead “Defendant(s)” in which he moves for “Defendant(s) to be Ordered to Interplead and Settle among themselves their rights” to his prison trust account. This request does not make sense in the context of this case in which there is only one Defendant. In addition, Plaintiff appears to believe that this request is necessary in light of contradictions between his summary judgment papers and Defendant’s waiver of reply. It is not. Disputes between Plaintiff and Defendant will be ruled upon when the summary judgment and motion for judgment on the pleadings are resolved. Plaintiff has also filed a motion for the Clerk of Court to pay a promissory note for an “appearance bond” to ensure his appearance in court. There is no authority or necessity to require the Clerk do so. Plaintiff’s motions are DENIED.

This Order disposes of Docket Nos. 39 and 41.

IT IS SO ORDERED.

Dated: July 25, 2017

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Jacqueline Scott Corley
JACQUELINE SCOTT CORLEY
United States Magistrate Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 25, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Frederick Wilson, Jr. ID: Prisoner F-29297
California Correctional Institution
P.O. Box 1906
Tehachapi, CA 93581-1906

Dated: July 25, 2017

Susan Y. Soong
Clerk, United States District Court

By: 
Ada Means, Deputy Clerk to the
Honorable JACQUELINE SCOTT CORLEY