

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

DEMETRIUS AHMED WRIGHT,

No. C 09-4358 CW (PR)

Plaintiff,

v.

A. HEDGEPEETH, et al.,

Defendants.

DEMETRIUS AHMED WRIGHT,

No. C 10-0064 CW (PR)

Plaintiff,

v.

R. CARRASCO, et al.,

Defendants.

ORDER REFERRING PLAINTIFF TO
FEDERAL PRO BONO PROJECT;
STAYING PROCEEDINGS UNTIL
COUNSEL IS APPOINTED

Both of the above pro se prisoner civil rights actions survived summary judgment and have been referred to Magistrate Judge Nandor Vadas to conduct settlement proceedings. No settlement proceedings have been conducted in either case, however, because of delays attributable to Plaintiff's ongoing hospitalization.¹

In view of the age of the cases and the possibility that settlement proceedings will continue to be delayed indefinitely because of Plaintiff's inability to attend, the Court finds that it is in the interest of justice and the efficient resolution of

¹ The initial settlement proceedings were delayed because Plaintiff objected to being transferred to another prison. The Court ordered him to attend the settlement proceedings or face dismissal of these actions for failure to prosecute. Since then, he has been unable to attend three scheduled settlement proceedings because of his hospitalization.

1 these actions to attempt to find volunteer counsel who can
2 represent Plaintiff's interests at the settlement proceedings.

3 Good cause appearing, IT IS HEREBY ORDERED that Plaintiff is
4 referred to the Federal Pro Bono Project of the Volunteer Legal
5 Services Program, which will attempt to find an attorney who is
6 able to represent him in the settlement proceedings.²

7 Accordingly,

8 1. The Clerk of the Court shall forward electronically to
9 the Federal Pro Bono Project: (a) a copy of this order, (b) from
10 case C 09-4358: a copy of the docket sheet, a copy of the
11 operative complaint (docket no. 33) and the Court's order denying
12 the motion for summary judgment (docket no. 55), (c) from case
13 C 10-0064: a copy of the docket sheet, a copy of the operative
14 complaint (docket no. 1) and the Court's order denying the motion
15 for summary judgment (docket no. 43).

16 2. If an attorney can be found to represent Plaintiff,
17 that attorney shall be appointed as counsel for Plaintiff until
18 all settlement proceedings have concluded in these two cases.

19 3. All proceedings in these cases are STAYED until four
20 weeks from the date an attorney is appointed to represent
21 Plaintiff in these cases, or until the Court otherwise lifts the
22 stay.

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26 ² If either of Plaintiff's cases does not settle and the
27 attorney appointed to represent Plaintiff in the settlement
28 proceedings is willing to accept a pro bono appointment to try one
or the other or both of the cases, the Court will entertain a
request for the continuing appointment of counsel.

1 The Clerk shall provide a copy of this Order to Magistrate
2 Judge Vadas.

3 IT IS SO ORDERED.

4 Dated: 5/9/2013


CLAUDIA WILKEN
United States District Judge

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7 cc: NJV; Federal Pro Bono Project
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