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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAISAAC RIGGS,
Plaintiff,
v.
R.T.C. GROUNDS, et al.,
Defendants.Case No. [13-cv-05864-PJH](#)**ORDER REFERRING CASE FOR
SETTLEMENT CONFERENCE**

Re: Dkt. Nos. 78, 79

This is a civil rights case brought pro se by a state prisoner. Defendant's motion for summary judgment was denied and this case was referred for a settlement conference with Magistrate Judge Vadas. The settlement conference was scheduled for March 10, 2016, at Solano State Prison. A Writ of Habeas Corpus Ad Testificandum was issued for plaintiff to transfer him from his facility, Salinas Valley State Prison, to Solano State Prison for the settlement conference. A conference call was held between plaintiff, the attorney for defendant, and Magistrate Judge Vadas on March 1, 2016, and the matter remained set for the settlement conference.

On March 3, 2016, plaintiff was to be transported to Solano State Prison for the settlement conference the following week. Prison officials at Salinas Valley State Prison reported that plaintiff refused to board the bus to be transported to Solano State Prison. Due to plaintiff's refusal to participate in the settlement conference, Magistrate Judge Vadas vacated the settlement conference and returned the case to the undersigned.

Plaintiff has filed a letter stating that he did not know that he was to be transported to Solano State Prison on March 3, 2016, and prison officials came to transport him at 5:00 am. Plaintiff states he had not packed, he was not provided enough time to pack,

1 prison officials did not help him pack, and he needs extra time because he is disabled.
2 As a result, he was not transported. Plaintiff seeks for the settlement conference to be
3 rescheduled.


4 In this case the Court and defendant's attorney expended time and effort to
5 prepare for the settlement conference and plaintiff was aware that he would be
6 transported based on the conference call on March 1, 2016. If plaintiff wishes to continue
7 with this case he must follow Court orders. This case will again be referred to Magistrate
8 Judge Vadas for settlement proceedings pursuant to the Pro Se Prisoner Settlement
9 Program. The proceedings will take place within **one hundred and twenty days** of the
10 date this order is filed. Magistrate Judge Vadas will coordinate a time and date for a
11 settlement proceeding with all interested parties and/or their representatives and, within
12 **five days** after the conclusion of the proceedings, file with the court a report of the
13 proceedings.

14 Lest there be any doubt as to the importance and mandatory nature of the
15 settlement proceedings, the parties are hereby ordered to attend the proceedings and
16 take part in them. Plaintiff is now cautioned that failure to attend or take part in the
17 settlement conference may result in the dismissal of this action. He is not required to
18 settle the case, but he must attend and take part in settlement discussions.

19 For the foregoing reasons, the case is re-referred to Magistrate Judge Vadas for
20 settlement proceedings pursuant to the Pro Se Prisoner Settlement Program. The Clerk
21 will send to Magistrate Judge Vadas in the Eureka Division, a copy of this order. In view
22 of the re-referral, this case is **STAYED** pending the settlement proceedings. Plaintiff's
23 motions (Docket Nos. 78, 79) are **DENIED**.

24 **IT IS SO ORDERED.**

25 Dated: March 17, 2016

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28 PHYLLIS J. HAMILTON
United States District Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ISAAC RIGGS,
Plaintiff,
v.
R.T.C. GROUNDS, et al.,
Defendants.

Case No. [13-cv-05864-PJH](#)

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 March 17, 2016, 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.

Isaac Riggs ID: E-26630
Salinas Valley State Prison C7/126
P.O. Box 1050
Soledad, CA 93960

Dated: March 17, 2016

Susan Y. Soong
Clerk, United States District Court

By: 
Nichole Peric, Deputy Clerk to the
Honorable PHYLLIS J. HAMILTON