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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SANTIAGO CRUZ,

Plaintiff,

v.

ZAHED UDDIN AHMED,

Defendant.

Case No. [4:15-cv-01855-KAW](#)

**ORDER REGARDING PLAINTIFF'S
2/3/19 LETTER**

Re: Dkt. No. 91

On February 3, 2017, Morgan Gilhuly and Julia Graeser of Barg Coffin Lewis & Trapp, LLP were appointed as pro bono counsel for Plaintiff Santiago Cruz for the duration of his case. (Dkt. No. 52.)

On January 3, 2019, Ms. Graeser sent Plaintiff a letter regarding the settlement, which included the settlement check, and stated that the amount reflected the deduction of \$1,050 for unpaid restitution as required by state law. (Dkt. No. 91-2 at 1.) The letter also reflected that this correspondence concluded counsel’s representation. *Id.*

On February 6, 2019, the Court received correspondence from Mr. Cruz. (Letter, Dkt. No. 91.) Therein, Mr. Cruz attached the January 3 letter from counsel and the CDCR Inmate State Report, dated January 14, 2019, which showed that he still had an unpaid restitution balance of 1,060.71. (Letter at 1; Inmate Statement, Ex. B, Dkt. No. 91-2 at 3.) Mr. Cruz requested that the Court send a “summary of the judgment” or other information to prevent the state from deducting the restitution a second time. (Letter at 1.) Since this case was settled, however, the Court does not have a judgment to provide to Mr. Cruz.

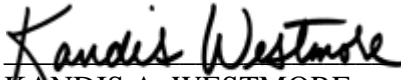
Accordingly, Plaintiff’s counsel shall meet and confer with Defendant to address this apparent mistake to ensure that Mr. Cruz will not pay restitution twice. If the debit has already

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occurred, the Court is confident that defense counsel can reverse the charge and make Mr. Cruz whole.

IT IS SO ORDERED.

Dated: February 28, 2019


KANDIS A. WESTMORE
United States Magistrate Judge