

United States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**ORDER STAYING ACTIONS;  
ADDRESSING PENDING  
MOTIONS**

DANIEL CISNEROS,  
Plaintiff,  
v.  
J. VANGILDER, et al.,  
Defendants.

Case No. 16-cv-00735-HSG (PR)

Re: Dkt. No. 46

DANIEL MANRIQUEZ,  
Plaintiff,  
v.  
J. VANGIDLER, et al.,  
Defendants.

Case No. 16-cv-1320-HSG (PR)

By order entered October 19, 2016, the Court related the above-referenced cases as well as two others cases (Falla v. Ducart, et al., No. C 16-0869 HSG (PR) and Chaidez v. Vangilder, et al., No. C 16-1330 HSG (PR)), all of which arise from a June 4, 2015 incident at Pelican Bay State Prison during which a chemical grenade was discharged near plaintiffs' cells. On January 27, 2017, the Court referred the actions for early settlement proceedings before Magistrate Judge Nandor Vadas and administratively closed the files pending settlement proceedings. A settlement was reached in Falla v. Ducart, et al., No. C 16-0869 HSG (PR) and Chaidez v. Vangilder, et al., No. C 16-1330 HSG (PR), and stipulations for voluntary dismissal closing those actions were

1 entered.

2 After Judge Vadas reported that the two remaining above-referenced actions did not settle,  
3 the Court re-opened said actions. Plaintiff in Manriquez v. Vangilder, et al., No. 16-1320 HSG  
4 (PR) has obtained counsel. Plaintiff in Cisneros v. Vangilder, et al., No. C 16-0735 HSG (PR) is  
5 proceeding pro se but has filed a motion for appointment of counsel.

6 Upon review of the record and the briefing, the Court has determined that the appointment  
7 of pro bono counsel would benefit the Court's review. The Court by this order expresses no  
8 opinion as to the merits of these remaining actions.

9 Accordingly, good cause appearing,

10 1. Plaintiff Cisneros's motion for appointment of counsel is GRANTED. Plaintiff in  
11 Cisneros v. Vangilder, et al., No. C 16-0735 HSG (PR) is REFERRED to the Federal Pro Bono  
12 Project for location of pro bono counsel. The Clerk shall forward to the Federal Pro Bono Project  
13 a copy of this order.

14 2. Upon an attorney being located to represent plaintiff in Cisneros v. Vangilder, et  
15 al., No. C 16-0735 HSG (PR), that attorney shall be appointed as counsel for said plaintiff in this  
16 matter until further order of the Court.

17 3. All proceedings in these two remaining actions are stayed until an attorney is  
18 appointed to represent plaintiff in Cisneros v. Vangilder, et al., No. C 16-0735 HSG (PR). Once  
19 such attorney is appointed, the Court will schedule a case management conference.

20 This order terminates Docket No. 46 in Case No. C 16-0735.

21 **IT IS SO ORDERED.**

22 Dated: July 31, 2017

23

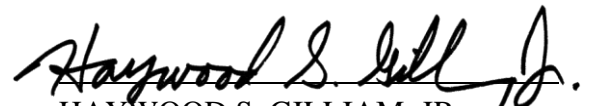
24

25

26

27

28

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge