

United States District Court
For the Northern District of California

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E-FILED - 3/18/09

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

RODNEY WAYNE JONES,

No. C 99-20023 RMW (PR)

Plaintiff,

ORDER REFERRING CASE TO FEDERAL
PRISONER PRO BONO PROJECT

v.

J. CUNNINGHAM, et al.,

Defendants.

_____/

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action alleging that he was subjected to excessive force while incarcerated at Salinas Valley State Prison. On April 28, 2008, the court referred the instant case to the court's Pro Se Prisoner Settlement Program and stayed the case pending settlement proceedings. On November 25, 2008, Magistrate Judge Vadas reported that the case did not settle. As neither dispositive motions nor settlement proceedings have fully resolved the claims in this case, this matter is ready for trial.

Plaintiff, being in need of counsel to assist him, this matter being ready for trial and Plaintiff being incarcerated, and good and just cause appearing,

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- a. plaintiff is hereby referred to the Federal Prisoner Pro Bono Project for location of counsel;¹
- b. upon an attorney being located to represent plaintiff, that attorney shall be appointed as counsel for plaintiff in this matter until further order of the court; and
- c. all proceedings in this action are stayed until four weeks from the date an attorney is appointed to represent plaintiff in this action. Once an attorney is appointed, the court will schedule a status conference to set pretrial and trial dates.

IT IS SO ORDERED.

DATED: 3/16/09


RONALD M. WHYTE
United States District Judge

¹The court indicated in the August 29, 2008 order that if settlement proceedings did not resolve this case, it would be referred to the Federal Prisoner Pro Bono Project for appointment of counsel.