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*\*E-FILED - 10/20/08\**

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

GEORGE REED, III, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
OFFICER ROMANS, et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

No. C 01-20070 RMW (PR)  
  
ORDER REFERRING CASE TO  
FEDERAL PRO BONO  
PROJECT; ON PENDING  
MOTIONS  
  
(Docket Nos. 110, 114, 118, 122)

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 alleging a claim of excessive force at the time of his arrest. On September 25, 2007, the court granted defendants’ motion for summary judgment in part as to defendant Oakland Police Department and denied defendants’ motion for summary judgment in part as to defendant Officer Romans. The court denied plaintiff’s motion for depositions, referred the instant case to the court’s Pro Se Prisoner Settlement Program and stayed the case pending settlement proceedings. On June 2, 2008, Magistrate Judge Vadas reported that the case did not settle. As neither dispositive motions nor settlement proceedings have fully resolved the issues in this case, this matter is ready for trial.

1. 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,

1 a. Plaintiff is hereby referred to the Federal Pro Bono Project for location of  
2 counsel;

3 b. upon an attorney being located to represent Plaintiff, that attorney shall be  
4 appointed as counsel for Plaintiff in this matter until further order of the Court; and

5 c. all proceedings in this action are stayed until four weeks from the date an  
6 attorney is appointed to represent Plaintiff in this action. Once an attorney is appointed, the  
7 Court will schedule a status conference to set pretrial and trial dates.

8 2. Plaintiff's motion for leave to amend the complaint at this late date, after  
9 this matter has been pending for over seven years, the Marshal has effectuated service,  
10 and defendants have responded to the complaint and filed a dispositive motion, is  
11 DENIED. Plaintiff's motions for an extension of time in which to prepare for trial are  
12 DENIED as unnecessary. Plaintiff's motion for discovery is DENIED without prejudice  
13 to refiling following location and appointment of pro bono counsel and the lifting of the  
14 stay ordered herein.

15 This order terminates docket numbers 110, 114, 118, 122.

16 IT IS SO ORDERED.

17 DATED: 10/17/08

  
\_\_\_\_\_  
RONALD M. WHYTE  
United States District Judge