

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

CHARLES FURTICK, :
 :
 Plaintiff, :
 :
 v. : CASE NO. 3:12CV835 (RNC)
 :
 LEO ARNONE ET AL., :
 :
 Defendants. :

ORDER

On May 30, 2013, Judge Martinez conducted a telephone conference with pro se plaintiff Charles Furtick and defendants' counsel Assistant Attorney General James Caley.

1. Plaintiff's Motions to Compel (docs. #22, #25) are denied without prejudice. Attorney Caley represented that he will mail a letter to plaintiff stipulating that the Department of Correction did not hold a hearing prior to transferring plaintiff from Carl Robinson C.I. to Northern C.I. on September 30, 2013. Plaintiff said that this will resolve the discovery dispute.

2. Plaintiff's Motion to Amend Complaint (doc. #28) is withdrawn without prejudice to filing a new motion to amend. Attorney Caley represented that he would not object to an amended complaint that adds Kathryn Dudley as a new defendant but is otherwise identical to the current operative complaint (doc. #7).

3. Attorney Caley shall mail a copy of the operative complaint (doc. #7) to plaintiff.

4. Plaintiff may file a motion to appoint counsel at any time. He is reminded that an indigent person seeking appointment of counsel in a civil case must show he has sought counsel but was unable to obtain it, McDonald v. Head Criminal Court Supervisor Officer, 850 F.2d 121, 123 (2d Cir. 1988), and must demonstrate that his or her complaint has "likely merit," Cooper v. A. Sargenti Co., 877 F.2d 170 (2d Cir. 1989).

5. The parties indicate that a settlement conference would not be productive at this time.

6. Dispositive motions are due on or before July 28, 2013.

SO ORDERED at Hartford, Connecticut this 3rd day of June, 2013.

_____/s/_____
Donna F. Martinez
United States Magistrate Judge