

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

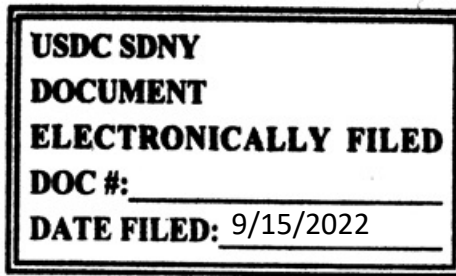
ZUBEARU BETTIS,

Plaintiff,

-against-

METROPOLITAN CORRECTIONAL
CENTER; BUREAU OF PRISONS NORTH
EAST REGION DIRECTOR; L. N'DIAYE,
WARDEN METROPOLITAN CORR.
CENTER, N.Y.; LT. PEREZ, FACILITY
DIRECTOR MCC NY; DR. BEAUDOIN; E.
WALKES, COUNSELOR MCC NY;
N. BULLOCK, COUNSELOR MCC NY; JANE
DOE, PHYSICIAN ASSISTANT;

Defendants.



1:21-CV-7496 (VEC) (KHP)

ORDER

KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE.

On August 22, 2022, the Court adjourned the telephonic settlement conference in this matter to **October 24, 2022, at 10:00 a.m.**, and ordered the warden in charge of the facility that was then holding Plaintiff, USP Canaan Correctional Facility, to produce Plaintiff to a suitable location for the purpose of participating in the conference. The Order also set the following briefing schedule: Defendants' motion to dismiss and related opening brief is due **October 25, 2022**; Plaintiff's opposition is due **January 25, 2023**, and Defendants' reply is due **February 22, 2023**. The Clerk of the Court attempted to mail this Order to Plaintiff at USP Canaan, but on September 14, 2022, the Court was notified that the Order was returned undelivered. On September 9, 2022, Plaintiff informed the Court that he has been temporarily moved to a Federal Transfer Center in Oklahoma City, and that he is to be transferred to Lee County Penitentiary within the next thirty days.

Despite Plaintiff's anticipated transfer, the Settlement Conference shall commence at

the scheduled time on **October 24, 2022 at 10:00 a.m.** It is ORDERED that the Warden or other official in charge of the Federal Transfer Center, the Lee County Penitentiary, or whatever facility is holding Plaintiff at the time of the scheduled conference, produce Plaintiff Zubearu Bettis, INMATE #92404-054, on **October 24, 2022, no later than 10:00 a.m.,** to a suitable location within the Correctional Facility that is equipped with a telephone, for the purpose of participating by telephone in the conference. If the scheduled time and date presents a hardship, the Warden or the Warden's designee should promptly inform chambers by calling (212) 805-4224.

Defendants' counsel must send this Order to the Wardens at Federal Transfer Center and Lee County Penitentiary immediately. The Court also notes that the Federal Bureau of Prisons lists Plaintiff as residing at USP Atlanta, and out of an abundance of caution, Defendants' counsel must send this Order to the Warden at that Facility as well.

On **October 17, 2022,** Defendants' counsel must confirm with the Federal Bureau of Prisons which facility will be holding Plaintiff on the day of the conference. Defendants shall then contact the relevant Facility to arrange the call and determine the telephone number at which Plaintiff will be reachable at the scheduled time. Defendants' counsel shall file a letter on ECF by **October 20, 2022,** informing the Court where Plaintiff will be located on the day of the scheduled conference and confirming that Defendants contacted the relevant Facility to arrange the call. Defendants must telephone Judge Parker's teleconference line at (866) 434-5269, Access code: 4858267, with Plaintiff on the line, at the time and date of the settlement conference. Chambers will email Defendants' counsel a teleconference security code prior to the conference.

The Clerk of the Court is respectfully directed to:

1. Re-send the Order at ECF No. 62 to Plaintiff at his current and expected addresses:


- a. Zubearu Bettis, 92404-054, Federal Transfer Center, P.O. BOX 898801, Oklahoma City, Ok 73189;
- b. Zubearu Bettis, 92404-054, USP LEE, U.S. Penitentiary, P.O. Box 305, Jonesville, VA, 24263.

2. Send this Order to Plaintiff at his current and expected addresses:

- a. Zubearu Bettis, 92404-054, Federal Transfer Center, P.O. BOX 898801, Oklahoma City, Ok 73189; AND
- b. Zubearu Bettis, 92404-054, USP LEE, U.S. Penitentiary, P.O. Box 305, Jonesville, VA, 24263

Dated: September 15, 2022
New York, New York

SO ORDERED.



KATHARINE H. PARKER
United States Magistrate Judge