UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNARD LEE DAVIS,

Plaintiff, No. 2:08-cv-0593 KJM CKD (PC) (TEMP)

vs.

JAMES WALKER, et al.,

Defendants.

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KENNARD LEE DAVIS,

Plaintiff, No. 2:10-cv-2139 KJM CKD (PC) (TEMP)

vs.

JAMES WALKER, et al., ORDER

Defendants.

_____/

Plaintiff, a state prisoner proceeding pro se, has filed the above-captioned civil rights actions seeking relief under 42 U.S.C. § 1983. On July 24, 2015, then-Magistrate Judge Dale A. Drozd granted Attorney Ben Williams' motions to withdraw as attorney of record in these cases. Plaintiff's legal incompetence to pursue these actions pro se and the exceptional circumstances of these cases compel this court to appoint counsel for plaintiff once more.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The court has selected Attorney Brian M. Pomerantz from the pro bono attorney panel to represent plaintiff, and Mr. Pomerantz has accepted the appointment. In light of this appointment of counsel, the court will deny the pending motions in these cases, brought by plaintiff proceeding pro se, without prejudice to refiling, as appropriate, by counsel. In addition, the court will vacate the scheduling order dates in Case No. 2:10-cv-2139 KJM CKD (TEMP). Finally, the court will direct counsel for all parties in these actions to contact the undersigned's Courtroom Deputy to schedule a status conference in these matters.

Accordingly, IT IS HEREBY ORDERED that:

1. Brian M. Pomerantz is appointed as counsel for plaintiff in the above entitled matters. Mr. Pomerantz shall submit his Pro Hac Vice Application to practice in this court forthwith.

2. Appointed counsel shall notify Sujean Park at (916) 930-4278, or via email at spark@caed.uscourts.gov if he has any questions related to the appointment.

3. Plaintiff's emergency motion for injunctive relief in Case No. 2:08-cv-0593 KJM CKD (TEMP) (Doc. No. 46) is denied without prejudice to refiling, as appropriate, by counsel.

4. All pending motions in Case No. 2:10-cv-2139 KJM CKD (TEMP) (Doc. Nos. 94, 97, 99 & 100) are denied without prejudice to refiling, as appropriate, by counsel.

5. The pretrial scheduling order dates in Case No. 2:10-cv-2139 KJM CKD (TEMP) (Doc. No. 87) are vacated.

6. Within thirty days of the date of this order, counsel for all parties are directed to meet and confer on agreeable dates for a status conference in these matters and contact Courtroom Deputy Kyle Owen by telephone (916) 930-4004 or via email kowen@caed.uscourts.gov for the court's availability. A status conference shall take place in these matters within 120 days.

7. The Clerk of the Court is directed to serve a copy of this order upon Brian M. Pomerantz, 6351 Owensmouth Avenue, Suite 203, Woodland Hills, CA 91367.

Dated: March 14, 2016

CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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