

ROBERT NORMAN SMITHBACK,)
)
 Plaintiff,)
)
 v.) **Case No. 19-1103-JWB-GEB**
)
 WILLIAM ANDREW SMITHBACK and)
 TERRY EDWIN JUSTICE,)
)
 Defendants.)
)

On July 15, 2020, the undersigned U.S. Magistrate Judge held a status conference in this matter. Plaintiff Robert Norman Smithback appeared through appointed counsel, Martin J. Peck. Defendants William Andrew Smithback and Terry Edwin Justice failed to appear, despite their prior discussions with this Court (*see* ECF No. 30) and having been clearly ordered to do so in the Notice dated June 11, 2020 (ECF No. 32). After discussion with Mr. Peck, the Court enters the following orders.

Defendants William Andrew Smithback and Terry Edwin Justice are **ORDERED** to **immediately** provide this Court with valid contact information, including any cellular phone number and emails addresses, with which this Court may reach them. Pursuant to D. Kan. Rule 5.1(c)(1)(A)-(E), any party must include the following information on all filings: (1) names; (2) addresses; (3) telephone numbers; (4) any fax number where they may be reached; and (4) e-mail addresses. Furthermore, pursuant to Rule 5.1(c)(3), any pro se party has a duty to notify the clerk in writing of any change of such contact

information, and “must notify the clerk in writing of any change of address or telephone number. Any notice mailed to the last address of record of . . . a pro se party is sufficient notice.”

IT IS FURTHER ORDERED that defendants William Smithback and Terry Justice must make contact with Plaintiff’s attorney, Martin Peck, **no later than July 28, 2020**, to discuss the status of this matter. Mr. Peck may be reached at 620-326-5997.

IT IS FURTHER ORDERED that Mr. Peck submit a status report to the undersigned U.S. Magistrate Judge no later than **August 7, 2020**, regarding Defendants’ contact with him.

IT IS FURTHER ORDERED that Mr. Peck and defendants William Andrew Smithback and Terry Edwin Justice appear for an **in-person hearing** before the undersigned U.S. Magistrate Judge on **Wednesday, August 19, 2020 at 1:30 p.m.**

Defendants William Smithback and Terry Justice are hereby notified that any failure to comply with this order may result in sanctions, up to and including a recommendation of judgment against them.

The Clerk is directed to mail this Notice to Plaintiff at the Stiles Unit by regular U.S. Mail and to defendants William Andrew Smithback and Terry Edwin Justice by certified mail.

IT IS SO ORDERED.

Dated at Wichita, Kansas this 15th day of July, 2020.

s/ Gwynne E. Birzer

GWYNNE E. BIRZER
United States Magistrate Judge