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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Arron E. Mowry,

Plaintiff,

vs.

Balaji, et al.,

Defendants.

No. CV 13-2210-PHX-SMM (MEA)

ORDER

Before the Court are Plaintiff’s Motion to Dismiss Defendant Balashi (Doc. 31), Balaji’s “Consent and Stipulation to Plaintiff’s Request to Dismiss Case” (Doc. 35), and Balaji’s Motion for Ruling (Doc. 45). These motions are moot because on July 7, 2014, the Magistrate Judge granted leave for Plaintiff to file a Second Amended Complaint substituting Defendant Steinhouser for Balashi. Accordingly, Balashi is no longer a Defendant in this action. The Court finds no basis to sanction Plaintiff or to dismiss this entire action with prejudice.

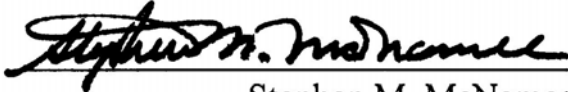
IT IS ORDERED that the reference to the Magistrate Judge is withdrawn as to Plaintiff’s Motion to Dismiss Balashi (Doc. 31), Defendant’s Stipulation and Motion to Dismiss (Doc. 35), and Defendant’s Motion for Clarification (Doc. 45) and the motions are **denied as moot**.

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IT IS FURTHER ORDERED that consistent with Magistrate Judge Aspey's July 7, 2014 Order, Balashi is dismissed from this action.

DATED this 10th day of July, 2014.



Stephen M. McNamee
Senior United States District Judge