

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LOUIS RICHARD FRESQUEZ,

Plaintiff,

v.

MOEROYK, et al.,

Defendants.

1:04-cv-05123-AWI-GSA-PC

ORDER DENYING MOTION AS MOOT

(Doc. 51.)

Louis Richard Fresquez ("Plaintiff") is a prisoner proceeding pro se in this civil rights action alleging prison officials violated the Americans with Disabilities Act ("ADA") and the Rehabilitation Act ("RA"). Plaintiff filed this action on March 11, 2003 in the Northern District of California. The case now proceeds on Plaintiff's amended complaint filed on March 18, 2003, against defendants Maka and Moeroyk ("Defendants") on Plaintiffs ADA and RA claims concerning conditions of confinement.

On March 23, 2010, Plaintiff filed a motion for a court order directing the Warden to allow him access to legal materials so as to enable him to prepare a response to the court's Order to Show Cause which issued on February 19, 2010. (Doc. 51.)

The court's Order to Show Cause was discharged on April 27, 2010, and Plaintiff is no longer required to file a response. Therefore, Plaintiff's motion for a court order is moot and shall be denied as such.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for a court order, filed on March 23, 2010, is DENIED as moot.

IT IS SO ORDERED.

Dated: April 28, 2010

/s/ Gary S. Austin

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UNITED STATES MAGISTRATE JUDGE