

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
(Fresno Division)

Reynaldo Myles,
Plaintiff,
vs.
J. Busby,
Defendant.

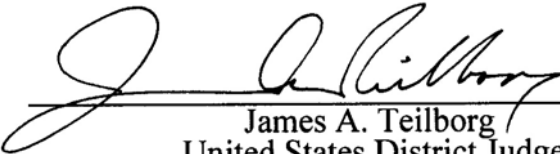
No. 1:04-CV-5329-JAT
ORDER

The Court having been advised that Plaintiff will be paroled into the custody of U.S. Immigration and Customs Enforcement on July 16, 2009,
IT IS ORDERED granting the Motion for Miscellaneous Relief (Doc. #63) as stated below.
IT IS FURTHER ORDERED quashing the writ of habeas corpus ad testificandum (Doc. #62).
IT IS FURTHER ORDERED vacating the referral to the pro se mediation program (Doc. #46).
IT IS FURTHER ORDERED that the Clerk of the Court shall send a copy of this Order to Magistrate Judge Nandor Vadas.
IT IS FURTHER ORDERED that Defendant shall send a copy of this Order to the Warden of the Chuckawalla Valley State Prison.

1 IT IS FURTHER ORDERED that Plaintiff is reminded that nothing about his parole
2 or, in the event it occurs, his deportation, relieves him of any of his obligations to prosecute
3 this case. *See generally* Fed.R.Civ.Pro. 41(b). And specifically, Plaintiff is required to keep
4 a current address on file with the Court and to timely respond to all pending motions. The
5 Court will deem Plaintiff's failure to oppose a motion to be consent to the motion being
6 granted.

7 IT IS FURTHER ORDERED that Defendant's unopposed¹ Motion for Leave to File
8 an Unenumerated 12(b) motion (Doc. #57) is granted; Defendant shall file his unenumerated
9 12(b) motion by July 20, 2009.

10 DATED this 9th day of July, 2009.

11
12
13 
14 James A. Teilborg
United States District Judge

15
16
17
18
19
20
21
22
23
24
25
26
27
28

¹ In the Order of June 24, 2009, Plaintiff was advised that he had to oppose this late filing by July 6, 2009 and he did not file any opposition.