

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GARRISON S. JOHNSON

Plaintiff, Case No. 1:06-cv-01089 ALA (P)

VS.

W.J. SULLIVAN, et al.,

ORDER

Defendants.

On April 6, 2009, Plaintiff filed a motion for sanctions asking the Court to hold Matthew Cate, Secretary of the California Department of Corrections and Rehabilitation, in contempt for failing to obey Plaintiff's subpoena duces tecum served on him January 22, 2009. (Doc. 191). On April 24, 2009, during a telephonic status conference, the Court ordered additional briefing on the issues raised in Plaintiff's motion and Defendants' opposition thereto. On April 27, 2009, Plaintiff filed a withdrawal of the motion for sanctions and to hold Matthew Cate in contempt. (Doc. 207). Plaintiff's request to withdraw the motion for sanctions and to hold Matthew Cate in contempt (doc. 191) is hereby GRANTED.

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1 Because Plaintiff's motion is withdrawn, the need for supplemental briefing is moot.
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3 DATED: April 27, 2009

4 /s/ Arthur Alarcón
5 UNITED STATES CIRCUIT JUDGE
Sitting by Designation