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

EDWARD J. MULLINS,

Plaintiff,

vs.

R. WENCIKER,

Defendant.

CASE NO. 1:07-cv-00108 LJO DLB PC

ORDER DISREGARDING AS MOOT
MOTION FOR RECONSIDERATION

(Doc. 108)

On August 3, 2009, this Court issued an order granting Plaintiff's request for entry of default against Defendant Wenciker, and denying Plaintiff's request for default judgment without prejudice. (Doc. 102.)

By order issued separately, Defendant Wenciker's motion to set aside entry of default was granted. Because the Court has set aside the entry of default, Plaintiff's motion for reconsideration of the Court's denial of default judgment, filed September 2, 2009, is rendered moot and therefore disregarded.

IT IS SO ORDERED.

Dated: December 3, 2009

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE