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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA
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10 HOWARD YOUNG,

1:07-cv-01121-GSA-PC

11 Plaintiff,

ORDER DENYING MOTION FOR
RECONSIDERATION AS MOOT
(Doc. 81.)

12 vs.

13 CALIFORNIA DEPARTMENT OF
14 CORRECTIONS AND REHABILITATION,
et al.,

15 Defendants.
16 _____/

17 Howard Young ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in
18 this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint initiating this
19 action on August 2, 2007. (Doc. 1.) This action now proceeds on the Second Amended Complaint
20 filed on August 31, 2009, against defendant Barron for retaliation in violation of the First
21 Amendment.¹ (Doc. 74.)

22 On October 22, 2010, the Court issued an order denying Plaintiff's motion for the Court to
23 provide him with free copies of his Second Amended Complaint, or for a court order directing prison
24 officials to provide him with copies, to enable the initiation of service in this action. (Doc. 78.) On
25 December 23, 2010, Plaintiff filed a motion for reconsideration of the Court's order. (Doc. 81.)
26 _____

27 ¹ All other claims and defendants were dismissed from this action by the Court on September 28, 2010. (Doc. 75.)
28

1 Now, service has been initiated in this action.² As a result, Plaintiff no longer requires
2 copies of the Second Amended Complaint to initiate service, and the motion for reconsideration is
3 moot.

4 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for reconsideration, filed on
5 December 23, 2010, is DENIED as moot.

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7 IT IS SO ORDERED.

8 **Dated: May 27, 2011**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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²On January 28, 2011, Plaintiff submitted two copies of the Second Amended Complaint, enabling the initiation of
27 service, and on March 24, 2011, the Court directed the United States Marshal to serve process upon defendant Barron. (Docs.
28 84, 89.)