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

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HOWARD YOUNG, 1:07-cv-01121-GSA-PC

Plaintiff,

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

vs.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,
et al.,

Defendants.

/

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

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

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

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

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/s/ **Gary S. Austin**
UNITED STATES MAGISTRATE JUDGE

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