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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	THOMAS D. BRALEY,	) Case No.: 1:07-cv-01423-AWI-BAM PC
12	Plaintiff,	) ORDER DENYING PLAINTIFF'S MOTION FOR TIME SCHEDULE ORDER AS MOOT
13	V.	) (ECF No. 126)
14	WASCO STATE PRISON, et al.,	)
15	Defendants.	)
16		_) _)
17	Plaintiff Thomas D. Braley ("Plaintiff"), a state prisoner, proceeded pro se in this civil rights	
18	action pursuant to 42 U.S.C. § 1983. This matter is currently on appeal. On May 7, 2014, Plaintiff	
19	filed the instant motion requesting a time schedule order, appellant's informal brief and an extension	
20	of time in his appellate matter. (ECF No. 126.) Plaintiff's request shall be denied as moot.	
21	As an initial matter, all motions concerning Plaintiff's appeal should be filed with the Ninth	
22	Circuit Court of Appeals. This Court does not	issue briefing schedules or any other relief for appellate
23	matters pending in the Ninth Circuit. Further,	on May 13, 2014, the Ninth Circuit Court of Appeals
24	issued an order indicating that Plaintiff's appeal would be permitted to proceed and that the Clerk for	
25	the Ninth Circuit would open a docket and would establish a briefing schedule for the appeal. (ECF	
26	No. 128.) As such, the Ninth Circuit Court of Appeals will be issuing a briefing schedule in this	
27	matter.	
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1	Accordingly, IT IS HEREBY ORDERED that Plaintiff's request for a briefing schedule, a	
2	copy of appellant's informal brief and an extension of time is DENIED as moot. All future motions	
3	concerning Plaintiff's appeal should be filed with the United States Court of Appeals for the Ninth	
4	Circuit.	
5	IT IS SO ORDERED.	
6	Dated: May 22, 2014 /s/ Barbara A. McAuliffe	
7	UNITED STATES MAGISTRATE JUDGE	
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