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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RICKY W. JAMES,

Plaintiff,

v.

J. WILBER, et al.,

Defendants.

Case No. 1:08-cv-00351-DLB (PC)

ORDER DENYING PLAINTIFF’S MOTIONS

(Docs. 38, 39)

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I. Order

Plaintiff Ricky W. James (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On October 5, 2009, Plaintiff filed two motions. One motion was entitled, “Notice of Motion and default to defendants refusal to comply with court order and deadlines and F.R.C.P.” (Doc. 38.) The other motion was entitled, “Notice of Motion. Informative harassment refusal of law library, copies, access to court.” (Doc. 39.) The Court addresses each motion below.

A. Motion One

Plaintiff contends in the first motion that Defendants failed to comply with a court order when Defendants allegedly filed notice of decline of magistrate judge jurisdiction on September 9, 2009. (Doc. 38, Pl.’s Mot. 3.) This late notice was filed in error by the Clerk’s office. Defendants’ consent to jurisdiction by a magistrate judge remains in effect. Accordingly, Plaintiff’s first motion, filed on October 5, 2009, is DENIED as moot.

