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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ROBERT SAENZ,) Case No.: 1:09-cv-00557-BAM (PC)
)
Plaintiff,) ORDER DENYING PLAINTIFF’S MOTION TO
) FILE HIS EXHIBITS FOR JURY TRIAL SET FOR
v.) JUNE 18, 2013, AS MOOT
)
SGT. D. REEVES,)
) (ECF No. 131)
Defendant.)
)
)
)

Plaintiff Robert Gonzales Saenz (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendant Reeves for retaliation in violation of the First Amendment and deliberate indifference to conditions of confinement in violation of the Eighth Amendment. The matter is set for jury trial on June 18, 2013.

On May 15, 2013, Plaintiff filed the instant motion to file his intended exhibits/evidence for jury trial. Plaintiff also forwarded his exhibits to the Court. (ECF No. 131.) Plaintiff’s motion to file his exhibits is unnecessary. Pursuant to the Pretrial Order issued on April 16, 2013, the parties are required to submit their proposed trial exhibits to Courtroom Deputy Harriet Herman no later than May 31, 2013. (ECF No. 123, p. 21.) The parties are not required to file their exhibits unless otherwise necessary for any motions in limine. At this time, Plaintiff’s trial exhibits will be forwarded

1 to the Courtroom Deputy in anticipation of trial. Plaintiff's motion to file his trial exhibits is therefore
2 DENIED as moot.

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IT IS SO ORDERED.

Dated: May 20, 2013

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE