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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JIMMY MCDONALD,

Plaintiff,

v.

J. A. YATES, et al.,

Defendants.

CASE NO. 1:09-cv-00730-LJO-SKO PC

ORDER DENYING MOTION AS MOOT

(Doc. 85)

Plaintiff Jimmy McDonald is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On July 18, 2012, in response to the summary judgment notice issued by the Court on July 9, 2012, Plaintiff filed a motion seeking to withdraw his previously-filed opposition to Defendants’ motion for summary judgment and for a twenty-one day extension of time to file an amended opposition.

In as much as the Court issued an order striking Plaintiff’s opposition and granting Plaintiff a thirty day extension of time to file an amended opposition on July 13, 2012, Plaintiff’s motion is **HEREBY DENIED** as moot.

IT IS SO ORDERED.

**Dated: July 20, 2012**

**/s/ Sheila K. Oberto**  
**UNITED STATES MAGISTRATE JUDGE**