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

| | | |
|---------------------------------|---|-------------------------------------|
| ANTHONY CRAIG HUCKABEE, |) | Case No.: 1:09-cv-00749-LJO-BAM PC |
| |) | |
| Plaintiff, |) | ORDER DENYING PLAINTIFF’S EX PARTE |
| |) | REQUEST FOR ASSISTANCE IN REGAINING |
| v. |) | DOCUMENTS FROM COURT-APPOINTED |
| |) | COUNSEL (ECF No. 86) |
| MEDICAL STAFF at CSATF, et al., |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |
| |) | |

Plaintiff Anthony Craig Huckabee (“Plaintiff”) is a state prisoner formerly represented by appointed-counsel in this civil rights action pursuant to 42 U.S.C. § 1983.

On September 20, 2013, Plaintiff filed the instant ex parte request for an order compelling his former court-appointed counsel to return the remainder of his legal file. (ECF No. 86.) The Court finds that Plaintiff’s request moot and it shall be denied.

On September 13, 2013, the Court directed Mr. Kharazi and the law firm of Yarra, Kharazi & Clason to provide the Court with information regarding the status of Plaintiff’s legal file. On September 20, 2013, Mr. Kharazi filed a declaration which states, under penalty of perjury, that his office mailed Plaintiff a complete copy of his entire legal file immediately after the Court granted the motion to withdraw as counsel. Mr. Kharazi also declares that his office received correspondence from Plaintiff dated August 22, 2013, indicating that he was missing certain documents, including medical records. Thereafter, on August 29, 2013, Mr. Kharazi’s office mailed Plaintiff a complete

1 copy of all documents filed in this matter, a copy of all medical records obtained on behalf of Plaintiff,
2 information regarding service of process, and a detailed explanation of work done in this case. All
3 documents were mailed to Plaintiff's current address, and Mr. Kharazi's office has no other documents
4 in its possession. (ECF No. 85.)

5 Based on the response received from Mr. Kharazi, Plaintiff has been provided a complete copy
6 of his case file. As such, Plaintiff's ex parte application is unnecessary and is DENIED as moot.

7
8 IT IS SO ORDERED.

9 Dated: September 23, 2013

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE