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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LAMONT SHEPARD,	CASE NO. 1:09-cv-00809-LJO-BAM PC
Plaintiff,	ORDER GRANTING PLAINTIFF’S MOTION
v.	AND WITHDRAWING MOTION FOR
	SUMMARY JUDGMENT
T. QUILLEN, et al.,	(ECF. Nos. 63, 68)
Defendants.	

Plaintiff Lamont Shepard (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. At this juncture, this action is proceeding on Plaintiff’s first amended complaint, filed September 16, 2010, against Defendant T. Quillen for excessive force in violation of the Eighth Amendment and J. Wise for retaliation in violation of the First Amendment. On November 30, 2011, Plaintiff filed a motion for summary judgment and on January 4, 2012, Plaintiff filed a motion to withdraw his motion for summary judgment.

Plaintiff’s motion to withdraw his summary judgment motion, filed January 4, 2012, is HEREBY GRANTED, and Plaintiff’s motion for summary judgment, filed November 30, 2011, is WITHDRAWN.

IT IS SO ORDERED.

Dated: January 25, 2012

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE