

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JERRY EMANUEL POLLARD, CASE NO. 1:09-cv-1232-LJO-MJS (PC)  
Plaintiff, ORDER VACATING FINDINGS AND  
v. RECOMMENDATION  
K. HARRINGTON, et al., (Doc. 20)  
Defendants.

Plaintiff Jerry Emanuel Pollard (“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 May 7, 2010, the Court recommended that Plaintiff’s Motion to Reissue Personal Property be denied because there was no operative pleading in the case. (ECF No. 20.) Plaintiff filed an Amended Complaint on June 4, 2010.

Because there is currently an operative pleading in this case, the Court's recommendation that Plaintiff's motion be denied is no longer appropriate. Accordingly, the Court's Findings and Recommendation (ECF No. 20) is VACATED.

IT IS SO ORDERED.

Dated: July 23, 2010

*1/s. Michael J. Song*  
UNITED STATES MAGISTRATE JUDGE