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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GREGORY MCCLELLAN,  
Plaintiff,  
v.  
KERN COUNTY SHERIFF'S OFFICE,  
et al.,  
Defendants.

CASE NO. 1:10-cv-00386-LJO-MJS (PC)  
**ORDER DENYING MOTION FOR RULING**  
**(ECF No. 36)**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983.

On June 2, 2014, the undersigned issued Findings and Recommendations that Plaintiff's Fourth Amended Complaint stated a Fourth Amendment unreasonable seizure claim against Defendants Lozano, Wood, and Perkins arising out of their actions at the time of Plaintiff's arrest, and that all other claims and Defendants be dismissed. Objections to the Findings and Recommendations were due not later than June 19, 2014. Plaintiff filed Objections on June 23, 2014. Entry of the untimely Objections into the docket was delayed because Plaintiff used an incorrect case number. On June 25,

1 2014, the Findings and Recommendations were adopted in full without review of  
2 Plaintiff's Objections.

3 On July 14, 2014, Plaintiff filed a motion for reconsideration. (ECF No. 28.) On  
4 August 6, 2014, during the pendency of his motion for reconsideration, Plaintiff filed a  
5 "motion for ruling" (ECF No. 36), seeking a ruling on his motion for reconsideration so he  
6 would know how to proceed on his remaining claims. On August 7, 2014, the District  
7 Judge assigned to the case denied Plaintiff's motion for reconsideration. (ECF No. 37.)

8 In light of the August 7, 2014 ruling on Plaintiff's motion for reconsideration,  
9 Plaintiff's motion for ruling (ECF No. 36) is HEREBY DENIED as moot.

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11 IT IS SO ORDERED.

12 Dated: August 25, 2014

*/s/ Michael J. Seng*  
13 UNITED STATES MAGISTRATE JUDGE  
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