UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

THEODORE BRITTON YATES, Plaintiff, v. KING, et al., Defendants.	1:10-cv-00530-SMS (PC) ORDER GRANTING IN PART AND DENYING IN PART, PLAINTIFF'S MOTION FOR DISPOSITION OR OUTCOME OF CASE (Doc. 84) CLERK'S OFFICE TO SEND PLAINTIFF A COPY OF CM/ECF DOCKET

Plaintiff, Theodore Britton Yates ("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 March 21, 2012, Plaintiff filed a "Motion for Disposition or Outcome of Case" in which he requests notice as to the disposition or outcome of this case and advice as to whether he should, if need be, and if he is able to appeal the Court's decision. (Doc. 84.)

As to his requests regarding possible appeal, Plaintiff is advised that the court may not issue an advisory opinion. See Flast v. Cohen, 392 U.S. 83, 96 (1968). However, the Court grants Plaintiff's motion inquiring of the current status/disposition/outcome of this case. To that end, on May 27, 2011, this action was dismissed for Plaintiff's failure to exhaust administrative remedies. (Doc. 73.) Plaintiff filed a notice of appeal on June 15, 2011 and a motion for a certificate of appealability on June 28, 2011. (Docs. 77, 80.) On July 14, 2011, the Ninth Circuit Appellate Court granted Plaintiff's voluntary dismissal of his appeal. (Doc. 83.)

Accordingly, IT IS HEREBY ORDERED THAT, Plaintiff's motion is granted in part and denied

in part as follows:

1. Plaintiff's inquiry as to the disposition/outcome of this case is GRANTED and the Clerk's Office is directed to print a copy of the docket on CM/ECF and serve it along with this order on Plaintiff; and
2. Plaintiff's request for advice regarding his appeal rights is DENIED.

IT IS SO ORDERED.

Dated: August 21, 2012

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE