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

ARVIE B. CARROLL,

CASE NO. 1:10-cv-00623-LJO-SKO PC

Plaintiff,

ORDER DISREGARDING MOTION

v.

(Doc. 98)

JAMES A. YATES, et al.,

Defendants.

On February 22, 2013, Defendants' motion for summary judgment was granted and judgment was entered in favor of Defendants. Plaintiff filed a notice of appeal on March 1, 2013, and on March 6, 2013, Plaintiff filed a motion seeking leave from this court to use the original record on appeal. Fed. R. App. P. 24(c).

Plaintiff's request must be directed to the appellate court, and his motion filed in this court is HEREBY DISREGARDED.

IT IS SO ORDERED.

**Dated: March 8, 2013**

**/s/ Sheila K. Oberto**  
UNITED STATES MAGISTRATE JUDGE