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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GARRISON JOHNSON,

CASE NO. 1:10-cv-01052-SMS PC

Plaintiff,

ORDER DENYING MOTION AS MOOT

v.

(Doc. 6)

MATTHEW CATE, et al.,

Defendants.

_____ /

On June 11, 2010, Plaintiff Garrison Johnson, a state prisoner proceeding pro se, filed a notice of voluntary dismissal of this action. On June 30, 2010, the Court directed the Clerk of the Court to close the file and refund Plaintiff his \$350.00 filing fee, because this action was duplicative of another pending action. On August 18, 2010, Plaintiff filed a motion seeking reimbursement of the filing fee.

Court records show that a check for the filing fee was mailed to Plaintiff at Kern Valley State Prison on August 6, 2010, and the check was cashed on August 26, 2010. Accordingly, Plaintiff's motion is HEREBY DENIED as moot.

IT IS SO ORDERED.

Dated: November 23, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE