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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GARRISON S. JOHNSON,

Plaintiff,

v.

CATE, et al.,

Defendants.

Case No. 1:10-cv-02348-LJO-MJS (PC)

**ORDER DENYING AS MOOT
PLAINTIFF'S REQUEST FOR RULING ON
MOTION**

(ECF No. 81)

Plaintiff is a state prisoner proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983. The action proceeds on an equal protection claim against Defendant Doran, Inmate Assignment Lieutenant at Kern Valley State Prison ("KVSP").

On October 6, 2014, the Court denied without prejudice Plaintiff's August 19, 2014 motion for U.S. Marshal's service of a subpoena duces tecum upon nonparty, KVSP Warden M.D. Biter. (See ECF No. 84.)

Accordingly, Plaintiff's September 29, 2014 motion (ECF No. 81) that the Court respond to his August 19th motion is DENIED as moot.

IT IS SO ORDERED.

Dated: October 7, 2014

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE