

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BYRON BROOKFIELD,)	Case No.: 1:11-cv-00357-AWI-JLT
)	
Petitioner,)	ORDER DENYING AS MOOT PETITIONER’S
)	MOTION FOR STATUS REPORT (Doc. 43)
v.)	
)	
JAMES YATES, Warden,)	
)	
Respondent.)	
)	

Petitioner was a state prisoner proceeding in propria persona with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On December 12, 2013, the Court issued Findings and Recommendations to deny the petition on its merits. (Doc. 34). Petitioner appealed this interlocutory order, resulting in a six month delay in proceedings until the Ninth Circuit dismissed the appeal and remanded the case to the district court for further proceedings. (Doc. 41). On June 11, 2014, the Ninth Circuit issued its mandate, thus returning jurisdiction to this Court. (Doc. 42). The following day, Petitioner filed the instant motion for a status report. (Doc. 43). On July 22, 2014, the district court adopted the Findings and Recommendations, entered judgment, and closed the case. (Doc. 44; 45). Judgment having been entered, Petitioner’s motion for a “status report” is moot.

///

///

ORDER

For the foregoing reasons, it is HEREBY ORDERED that Petitioner's motion for a status report (Doc. 43), is DENIED AS MOOT.

IT IS SO ORDERED.

Dated: **January 29, 2015**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE