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

KEVIN DARNELL BRYANT)	Case No.: 1:11-cv-00446-LJO-BAM PC
Plaintiff,)	
v.)	ORDER DENYING PLAINTIFF’S MOTION TO
P. GALLAGHER, et al.,)	STAY SETTING A CUTOFF DATE FOR
Defendants.)	DISPOSITIVE MOTIONS OR EXTENSION OF
)	TIME
)	(ECF No. 162)
)	
)	
)	
)	

Plaintiff Kevin Darnell Bryant (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff’s first amended complaint, filed on July 5, 2011, against Defendant Romero for deliberate indifference to serious medical needs in violation of the Eighth Amendment; and against Defendants Gallagher and Romero for conspiracy, retaliation in violation of the Eighth Amendment and failure to protect in violation of the Eighth Amendment.

On September 25, 2014, Plaintiff filed a notice of appeal, which was processed to the Ninth Circuit on September 29, 2014. (ECF Nos. 157, 158.)

On October 9, 2014, Plaintiff filed a motion requesting that the Court stay setting a dispositive motion cut-off date until after the Ninth Circuit Court of Appeals Rules on and decides the appeal. (ECF No. 162.)

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On October 28, 2014, the Ninth Circuit Court of Appeals dismissed Plaintiff's appeal for lack of jurisdiction. (ECF No. 165.)

Based on the dismissal of Plaintiff's appeal, his request for a stay regarding the setting of a dispositive motion deadline is unnecessary and his motion is HEREBY DENIED.
IT IS SO ORDERED.

Dated: November 7, 2014

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE