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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SUSAN MAE POLK,	CASE NO. 1:11-cv-00728-AWI-BAM PC
Plaintiff,	ORDER DENYING REQUEST FOR COPY OF COURT DOCKET TO PREPARE DESIGNATION OF RECORD FOR APPEAL
v.	
PITTMAN, et al.,	(ECF No. 55.)
Defendants.	

Plaintiff Susan Mae Polk (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On December 26, 2012, Plaintiff filed a notice of interlocutory appeal. (ECF No. 54.) Plaintiff also filed the instant motion for a copy of the court docket to prepare the designation of record for her appeal. (ECF No. 55.)

Plaintiff’s request is moot. On December 27, 2012, the Clerk of the Court processed the interlocutory appeal and issued a certificate of record. The certificate clearly states that the record in this case is available and will be transmitted to the Ninth Circuit upon the direction of the Clerk of the Court of Appeals. (ECF No. 56-2.) Accordingly, it is not necessary for Plaintiff to designate the record for appeal. Further, Plaintiff submitted an apparent designation of record on January 11, 2013. (ECF No. 58.) Accordingly, Plaintiff’s request for a copy of the court docket to prepare a designation of the record for appeal is DENIED as moot.

IT IS SO ORDERED.

Dated: <u>January 22, 2013</u>	<u>/s/ Barbara A. McAuliffe</u> UNITED STATES MAGISTRATE JUDGE
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