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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

9 JIMMY GONZALES,

10 Plaintiff,

11 v.

12 HAROLD TATE,

13 Defendant.

Case No. 1:11-cv-01997-AWI-MJS

ORDER DENYING PLAINTIFF’S MOTION
FOR INJUNCTIVE RELIEF AS MOOT

(ECF No. 17)

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16 Plaintiff Jimmy Gonzales (“Plaintiff”) is a state prisoner proceeding pro se in this civil
17 rights actions pursuant to 42 U.S.C. § 1983.

18 On September 24, 2012, Plaintiff filed a motion for injunctive relief. (ECF No. 17.) This
19 motion was related to Plaintiff’s First Amended Complaint. (ECF No. 10.) Plaintiff’s First
20 Amended Complaint has since been superseded by Plaintiff’s Second and Third Amended
21 Complaints. (ECF Nos. 16, 20.) Plaintiff is currently proceeding on his Third Amended
22 Complaint on an inadequate medical care claim under the Eighth Amendment of the United State
23 Constitution and a claim under the Americans with Disabilities Act. (ECF No. 22.) On April 19,
24 2013, Plaintiff also filed another identical motion for injunctive relief connected to his Third
25 Amended Complaint. (ECF No. 29.)

26 Since Plaintiff is no longer proceeding on the same pleading tied to his initial motion for
27 injunctive relief, that motion (Doc. No. 17) is now moot.
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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for injunctive relief (ECF No. 17) is DENIED as moot; and
2. This order has no effect on Plaintiff's motion for injunctive relief that was filed on April 19, 2013.

IT IS SO ORDERED.

Dated: September 27, 2013



SENIOR DISTRICT JUDGE