UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA WILBUR ATCHERLEY, Case No.: 1:12cv00225 LJO DLB (PC) Plaintiff, ORDER REGARDING PLAINTIFF'S MOTION TO COMPEL DEFENDANT CEBALLOS TO v. PROVIDE A FURTHER RESPONSE TO CLARK, et al., REQUEST FOR ADMISSIONS NUMBER 27

Defendants.

Plaintiff William Atcherley ("Plaintiff") is a prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 28 U.S.C. § 1983. This action is proceeding on Plaintiff's Second Amended Complaint, filed on October 14, 2014, for violation of the Eighth Amendment and negligence against numerous Defendants.

(Document 144)

On October 22, 2014, Plaintiff filed a motion to compel Defendant Ceballos to provide a further response to Number 27 of his Second Set of Requests for Admissions.

Defendant Ceballos opposed the motion on November 7, 2014, and indicates that rather than continue the dispute with Plaintiff, she has served a supplemental response.¹

¹ The Court recognizes that it recently informed Plaintiff that it would take his November 3, 2014, surgery and subsequent hospitalization into account when calculating briefing periods. However, a reply is not necessary in this instance.

Accordingly, as the supplemental response appears to provide a complete answer, Plaintiff's motion is DENIED AS MOOT. IT IS SO ORDERED. 1s/ Dennis L. Beck Dated: **December 2, 2014** UNITED STATES MAGISTRATE JUDGE