

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

HOMER TYRONE LEWIS,) 1:12-cv-00856-LJO-BAM (PC)
Plaintiff,)
v.) ORDER DENYING DEFENDANTS'
KATHLEEN ALISON, et al.,) MOTION FOR PROTECTIVE ORDER
Defendants) STAYING DISCOVERY PENDING
) RESOLUTION OF MOTION TO DISMISS
) AS MOOT
) (ECF No. 47)

Plaintiff Homer Tyrone Lewis (“Plaintiff”) is a state prisoner proceeding in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On April 30, 2014, Defendants Allison, Parra and Garza filed a motion to dismiss. (ECF No. 33.)

On June 26, 2014, Defendants filed a motion for protective order seeking a stay of discovery as to Defendants Allison, Parra and Garza pending resolution of the motion to dismiss. (ECF No. 47.)

On July 29, 2014, the undersigned issued Findings and Recommendations on Defendants' motion to dismiss, recommending partially granting the motion and dismissing the action as to Defendants Parra and Garza. (ECF No. 57.)

On November 6, 2014, the District Court adopted the Findings and Recommendations regarding Defendants' motion to dismiss in full and dismissed Defendants Parra and Garza from this action. (ECF No. 79.)

Based on resolution of Defendants' motion to dismiss, a protective order staying discovery pending its resolution is no longer necessary. Accordingly, Defendants' motion for protective order, filed on June 26, 2014, is DENIED as moot.

IT IS SO ORDERED.

Dated: November 7, 2014

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE