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

ERIC WHEELER,	)	1:12cv00861 LJO DLB PC
	)	
Plaintiff,	)	ORDER DENYING PLAINTIFF'S
	)	MOTION TO COMPEL AS MOOT
vs.	)	(Document 176)
	)	
ALISON, et al.,	)	
	)	
Defendants.	)	

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Plaintiff Eric Wheeler (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation (“CDCR”). Plaintiff is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s complaint, filed on May 25, 2012, on the following claims: (1) excessive force in violation of the Eighth Amendment against Defendants Duck, Murrieta and Lowder; (2) failure to protect in violation of the Eighth Amendment against Defendants Duck, Murrieta, Lowder, Loftis and Alison; and (3) deliberate indifference to a serious medical in violation of the Eighth Amendment against Defendants Ross, Mui, Neubarth and Ancheta.

1 Plaintiff filed this motion on November 24, 2014, seeking further responses to his two  
2 Requests for Production of E-Documents.<sup>1</sup> Defendants filed their opposition on December 15,  
3 2014, and Plaintiff filed his reply on December 29, 2014.

4 As stated in Plaintiff's reply, he is withdrawing his challenge to the requests at issue.  
5 Accordingly, Plaintiff's motion is DENIED AS MOOT.

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7 IT IS SO ORDERED.

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9 Dated: January 7, 2015

/s/ Dennis L. Beck  
10 UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Plaintiff signed the motion on November 18, 2014, and placed it in the prison mail on November 19, 2014.