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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BRANDON JAQUAY HOLMES,  
Plaintiff,  
v.  
CHRISTIAN LEPE, et al.,  
Defendants.

CASE No. 1:12-cv-01649-AWI-MJS  
ORDER DENYING MOTION TO OPEN  
DISCOVERY AS MOOT  
(ECF No. 33)

Plaintiff Brandon Jaquay Holmes is a federal prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971). On April 16, 2014, Plaintiff filed a motion requesting that the Court issue an order opening discovery and outlining its procedures. (ECF No. 33.) The Court issued such an order on April 16, 2014. (ECF No. 32.) Accordingly, Plaintiff motion is DENIED as moot.

IT IS SO ORDERED.

Dated: August 7, 2014

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE