

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**

9 **EASTERN DISTRICT OF CALIFORNIA**

10
11 **MATTHEW JAMES GRIFFIN,**

12 **Plaintiff,**

13 **v.**

14 **J. MOON, et al.,**

15 **Defendants.**

Case No. 1:12-cv-02034-LJO-BAM (PC)

**ORDER DISREGARDING PLAINTIFF'S
OBJECTIONS TO ORDER DENYING IN
FORMA PAUPERIS STATUS ON APPEAL
WITH REQUEST FOR DE NOVO REVIEW
AS MOOT**

(ECF No. 120)

16
17 Plaintiff Matthew James Griffin ("Plaintiff"), a state prisoner proceeding pro se, filed this
18 action in the Superior Court for the State of California, Kings County. Defendants subsequently
19 removed the action to federal court. (ECF No. 2.) On June 6, 2016, the Court dismissed Plaintiff's
20 federal claims and remanded his remaining state law claims to the state court. (ECF No. 96.) On
21 July 7, 2016, Plaintiff filed a notice of appeal. (ECF No. 98.)

22 On September 23, 2016, the Court denied Plaintiff's second motion to proceed in forma
23 pauperis on appeal. (ECF No. 115.) On October 6, 2016, Plaintiff filed objections to the Court's
24 September 23, 2016 order, with a request for de novo review. (ECF No. 120.) On January 12,
25 2017, the Court of Appeals for the Ninth Circuit granted Plaintiff leave to proceed in forma
26 pauperis on appeal. (ECF No. 130.) Thus, Plaintiff's objections to the Court's September 23,
27 2016 order are now moot, and the Court need not address them.

28 Accordingly, the Court HEREBY DISREGARDS Plaintiff's objections to the order

1 denying in forma pauperis status on appeal with request for de novo review, as moot.

2
3 IT IS SO ORDERED.

4 Dated: January 19, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE