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

HUSSEIN ALI KIETTY,)	Case No.: 1:13-cv-00312-SAB (PC)
)	
Plaintiff,)	
)	ORDER DENYING AS MOOT PLAINTIFF’S
v.)	MOTION FOR FILING INVESTIGATIVE CLAIM
)	UNDER WITNESS TESTIMONY AND
A. WALKER, et al.,)	VACATING TRIAL PREPARATION
)	
Defendants.)	[ECF No. 84]
)	
)	

Plaintiff Hussein Ali Kietty is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Pursuant to 28 U.S.C. § 636(c), the parties have consented to the jurisdiction of the United States Magistrate Judge. Local Rule 302.

On November 28, 2016, Plaintiff filed a motion entitled “Motion Filing For Investigative Claim Under Witness Testimony and Relief Vacating Trial Preparation Under Attorney General for Department of Corrections Continuance With Investigation.” Plaintiff seeks to a continuance of the trial dates set forth in District Judge Drozd’s second scheduling order issued October 3, 2016. Judge Drozd’s second scheduling order was vacated on November 22, 2016, when the action was referred and reassigned to the undersigned

A hearing was held on this matter on November 29, 2016 at the Trial Scheduling Conference. Hussein Ali Kietty appeared telephonically in pro per and Monica Anderson, Supervising Deputy Attorney General, also appeared telephonically on behalf of the defendants.

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In light of the Plaintiff comments at the hearing, the Court found no need for the Defendants to file an opposition. For the reasons stated on the record, the Plaintiff motion is denied as MOOT.

IT IS SO ORDERED.

Dated: November 30, 2016


UNITED STATES MAGISTRATE JUDGE