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7		TES DISTRICT COUDT	
8	UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA		
9 10	EASIERN DISI	RICT OF CALIFORNIA	
10	BERNARD SPENCER,) Case No.: 1:13-cv-01657-LJO-SAB (PC)	
11	Plaintiff,) Case No.: 1.13-ev-01037-LJO-SAD (1 C)	
12	V.	ORDER DENYING PLAINTIFF'S MOTIONS	
14	A. ESCOBEDO, et al.,) [ECF Nos. 61, 62, 63, 64, 65, 71]	
15	Defendants.)	
16))	
17	On June 19, 2017, Defendants' motion for summary judgment was granted and this action was		
18	dismissed, without prejudice, for Plaintiff's failure to exhaust the administrative remedies. (ECF No.		
19	57.) Judgment was entered this same date. (ECF No. 58.)		
20	Plaintiff filed a notice of appeal to the United States Court of Appeals for the Ninth Circuit.		
21	On June 19, 2017, Plaintiff filed several motions, including two motions to amend, motion for		
22	an order compelling discovery, motion for appointment of counsel, and a motion to stay. (ECF Nos,		
23	61, 62, 63, 64, 65.)		
24	On January 19, 2018, Plaintiff filed a motion for appointment of counsel. (ECF No. 71.)		
25	On May 14, 2018, Plaintiff's appeal was dismissed for lack of prosecution. (ECF No. 72.)		
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1	In light of the fact that this action was dismissed and judgment was entered on June 19, 2017,		
2	and Plaintiff's notice of appeal has been dismissed for lack of prosecution, the pending motions in this		
3	action (ECF Nos. 61, 62, 63, 64, 65, 71) are dismissed as moot.		
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5	IT IS SO ORDERED.	SIP	
6	Dated: <u>May 16, 2018</u>	June A. De	
7		NITED STATES MAGISTRATE JUDGE	
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