

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MAURICE P. OLIVIER,) 1:14-cv-00536-BAM (PC)
Plaintiff,)
v.) ORDER DENYING MOTION
P. D. BRAZELTON, et al.,) REQUESTING EXPEDITIOUS
Defendants.) ADJUDICATION AS MOOT
) (ECF No. 11)
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)
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Plaintiff Maurice P. Olivier (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on April 16, 2014, and filed a motion for temporary restraining order and preliminary injunction. (ECF Nos. 1, 5.) Plaintiff did not file an application to proceed in forma pauperis or pay the filing fee. As such, on April 28, 2014, the Court ordered Plaintiff to pay the filing fee in full or file an application to proceed in forma pauperis. (ECF No. 7.) Plaintiff filed an application to proceed in forma pauperis, which was granted by the Court on May 15, 2014. (ECF Nos. 8, 10.)

On August 28, 2014, Plaintiff filed the instant motion requesting expeditious adjudication of his motion for temporary restraining order and preliminary injunction filed on April 16, 2014. (ECF No. 11.) On September 3, 2014, the Court denied the motion for temporary restraining order and preliminary injunction. (ECF No. 12.) On September 15, 2014, Plaintiff appealed.

1 (ECF No. 13.) On December 9, 2014, the Ninth Circuit Court of Appeals dismissed Plaintiff's
2 appeal for failure to prosecute. The Ninth Circuit's order acted as its mandate. (ECF No. 18.)

3 Based on resolution of Plaintiff's motion for temporary restraining order and preliminary
4 injunction, Plaintiff's motion requesting expeditious adjudication of that motion is now moot and
5 is HEREBY DENIED. Plaintiff's complaint will be screened in due course.

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7 IT IS SO ORDERED.

8 Dated: January 9, 2015

/s/ *Barbara A. McAuliffe*

9 UNITED STATES MAGISTRATE JUDGE

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