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5 **UNITED STATES DISTRICT COURT**

6 **EASTERN DISTRICT OF CALIFORNIA**
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9 MAURICE P. OLIVIER,) 1:14-cv-00536-BAM (PC)
10 Plaintiff,)
11 v.) ORDER DENYING MOTION
12 P. D. BRAZELTON, et al.,) REQUESTING EXPEDITIOUS
13 Defendants.) ADJUDICATION AS MOOT
14) (ECF No. 11)

15 Plaintiff Maurice P. Olivier (“Plaintiff”) is a state prisoner proceeding pro se and in
16 forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this
17 action on April 16, 2014, and filed a motion for temporary restraining order and preliminary
18 injunction. (ECF Nos. 1, 5.) Plaintiff did not file an application to proceed in forma pauperis or
19 pay the filing fee. As such, on April 28, 2014, the Court ordered Plaintiff to pay the filing fee in
20 full or file an application to proceed in forma pauperis. (ECF No. 7.) Plaintiff filed an
21 application to proceed in forma pauperis, which was granted by the Court on May 15, 2014.
22 (ECF Nos. 8, 10.)

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