

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

BILLY COY COCHRAN,) Case No.: 1:15-cv-01092-AWI-SAB (PC)
Plaintiff, v. E. AGUIRRE,	ORDER DENYING AS MOOT PLAINTIFF'S MOTION TO CERTIFY ORDER, MOTION FOR CERTIFICATE OF APPEALABILITY, AND MOTION TO PROCEED IN FORMA PAUPERIS
Defendant.) [ECF Nos. 105, 109, 112]) _)

Plaintiff Billy Coy Cochran is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983.

On July 25, 2017, the undersigned issued Findings and Recommendations recommending that Defendant's motion for summary judgment for failure to exhaust the administrative remedies be granted and the action be dismissed, without prejudice. (ECF No. 107.)

On June 23, 2017, Plaintiff filed a notice of appeal of the Court's June 8, 2017, order denying his motion for reconsideration. (ECF No. 103.) On June 26, 2017, Plaintiff filed a motion to certify the order dated June 8, 2017 for appeal. (ECF No. 105.) On July 31, 2017, Plaintiff filed a motion requesting a certificate of appealability, and a motion to proceed in forma pauperis, along with a first amended notice of appeal if the Court's March 14, 2017, order denying Plaintiff's motion for leave to file an amended complaint. (ECF No. 109, 110, 111.)

Inasmuch as Plaintiff's appeals to the United States Court of Appeals for the Ninth Circuit have been dismissed for lack of jurisdiction on July 26, 2017 and August 16, 2017, Plaintiff's motions relating to such appeals are denied as moot. (ECF Nos. 108, 114.)

IT IS SO ORDERED.

Dated: **August 28, 2017**

UNITED STATES MAGISTRATE JUDGE