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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEROY E. KENDALL,  
Petitioner,  
v.  
CYNTHIA TAMPKINS, Warden,  
Respondent.

No. 1:15-cv-01703-AWI-JLT (HC)  
**ORDER DENYING MISCELLANEOUS  
MOTION (Doc. No. 10)**

On December 28, 2015, this case was dismissed as successive. Thereafter on March 16, 2016, Petitioner filed the instant motion. Petitioner requests that a three judge panel order the compliance officer to reduce the California inmate population to an acceptable and constitutional level. Insofar as this case was closed on December 28, 2015, the Court is without jurisdiction to grant any relief. Accordingly, Petitioner’s motion is DENIED.

IT IS SO ORDERED.

Dated: October 3, 2016

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE