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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

RODERICK WILLIAM LEAR,  
Plaintiff,  
v.  
MARTIN BITER, et al.,  
Defendants.

Case No. 1:15-cv-01903-MJS (PC)

**ORDER DENYING MOTION TO DELAY  
CONSIDERATION OF MOTION FOR  
APPOINTMENT OF COUNSEL  
(ECF No. 18)**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 28 U.S.C. § 1983. On February 3, 2016, Plaintiff filed a motion for appointment of counsel. (ECF No. 14.) His motion was denied without prejudice on February 12, 2016. (ECF No. 17.)

Almost simultaneously with the denial of his motion, Plaintiff filed a motion requesting that the Court delay consideration of his motion for appointment of counsel until after his amended complaint is filed. (ECF No. 18.)

Because Plaintiff's motion for appointment of counsel already has been denied, the request to delay consideration of that motion is moot. Accordingly, Plaintiff's motion

1 to delay consideration of his motion for appointment of counsel is HEREBY DENIED.

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3 IT IS SO ORDERED.

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Dated: February 16, 2016

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE

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