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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 ARTHUR OCHOA,

9 Petitioner,

10 v.

11 FEDERAL DISTRICT COURTS,

12 Respondent.
13

Case No. 1:16-cv-00575-DAD-SAB-HC

ORDER DENYING AS MOOT
PETITIONER'S MOTION TO APPOINT
COUNSEL

(ECF No. 10)

14 Petitioner is a state prisoner who proceeded pro se in a habeas corpus action pursuant to
15 28 U.S.C. § 2254. On September 14, 2016, the Court dismissed the petition as untimely and
16 unexhausted and declined to issue a certificate of appealability. (ECF No. 8). That same day,
17 judgment was entered and the case was closed. (ECF No. 9).

18 On October 24, 2016, Petitioner filed the instant motion to appoint counsel. (ECF No.
19 10). As the Court had already dismissed the petition and closed the action before Petitioner filed
20 his motion to appoint counsel, the motion is moot.

21 Accordingly, IT IS HEREBY ORDERED that Petitioner's motion to appoint counsel is
22 DENIED AS MOOT.

23 IT IS SO ORDERED.

24 Dated: October 26, 2016

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27 UNITED STATES MAGISTRATE JUDGE
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