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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 TOY TERRELL SMITH,

12 Plaintiff,

13 v.

14 HUTCHINSON, et al.,

15 Defendants.
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Case No. 1:16-cv-01924-LJO-JDP

ORDER DIRECTING THE CLERK'S OFFICE
TO FORWARD PLAINTIFF'S MOTION TO
APPOINT COUNSEL TO THE COURT OF
APPEALS

ECF No. 84

17 Plaintiff Toy Terrell Smith is a state prisoner proceeding without counsel in this civil
18 rights action brought under 42 U.S.C. § 1983. Smith has filed both a notice of appeal and a
19 motion to appoint counsel for the appellate proceeding. See ECF Nos. 84 and 85. Because the
20 merits of the motion for counsel are most appropriately handled by the appellate court in which
21 Smith will be proceeding, I direct the clerk's office to forward Smith's motion to the court of
22 appeals.

23 IT IS SO ORDERED.
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25 Dated: October 17, 2019
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27 UNITED STATES MAGISTRATE JUDGE
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