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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VERNON WAYNE MCNEAL,

Plaintiff,

No. 2:02-cv-02524 MCE JFM (PC)

v.

FLEMING, et al.,

Defendants.


ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. This matter is set for trial on January 7, 2013. On August 22, 2012, Plaintiff filed a motion for a “hard copy” of Plaintiff’s “September 10, 2001 use of force videotape interview.” (ECF No. 220.) On September 24, 2012, Defendants filed an opposition to the motion, in which they represent that Plaintiff has had access to view the videotape and take notes and may request additional access as necessary for trial preparation. (ECF No. 222.) On October 4, 2012, Plaintiff filed a reply in which he clarifies that he is seeking a written transcript of the interview. (ECF No. 223.) By order filed October 16, 2012, Defendants were directed to file a response to Plaintiff’s reply. (ECF No. 225.) On October 25, 2012, Defendants filed a response to which is appended a transcript of the interview. (ECF No. 226.) That transcript has been served on Plaintiff.

1 Accordingly, good cause appearing, IT IS HEREBY ORDERED that Plaintiff's
2 August 22, 2012, motion (ECF No. 220) is DENIED AS MOOT.

3 Dated: October 29, 2012

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6 MORRISON C. ENGLAND, JR.
7 UNITED STATES DISTRICT JUDGE
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