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

JOHN R. JORDAN, JR.,

Plaintiff,

No. 2:03-cv-1820 LKK CKD

vs.

CAL A TERHUNE, et al.,

Defendant.

ORDER

_____/

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983. On September 21, 2009, the action was dismissed as to defendants Lopez and Mericle and summary judgment was granted for defendants Armoskus, Boitano, Cobb, Cox, Dreith, Eder, Felker, Fleming, Kopec, McCraw, Miranda, Platt, Roholfing, Vanderville, Wong and Wright. (Dkt. No. 246.) Summary judgment was denied only as to defendant Brown. (Id.)

On September 20, 2010, this court denied defendant Brown’s renewed motion for summary judgment, finding that defendant Brown was not entitled to qualified immunity. (Dkt. No. 257.) Defendant Brown appealed to the United States Court of Appeals for the Ninth Circuit, and the Ninth Circuit has reversed the denial of his motion and remanded the case for further proceedings in light of that disposition. The Ninth Circuit’s mandate issued on January 2, 2013.

