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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TROY MAGARRELL,  
Plaintiff,

NO. CIV. S-04-2634 LKK/DAD P

v.

O R D E R

P. MANGIS, M.D., et al.,  
Defendants.

\_\_\_\_\_/

On October 19, 2011, Plaintiff in the above captioned case, through counsel, filed a motion for a new trial, brought pursuant to Federal Rule of Civil Procedure 59. Pl's Mot., ECF No. 173. A hearing on the motion is currently set for November 21, 2011.

On November 14, 2011, the court was informally notified that Plaintiff Troy Magarrell no longer wishes to be represented by his counsel of record.

On November 14, 2011, Plaintiff Troy Magarrell, acting in pro per, filed a motion for a mistrial and to vacate the verdict, as well as a notice of appeal, in the event that the motion for a mistrial and to vacate the verdict is denied. Pl's Mots., ECF.

1 Nos. 178, 179. Plaintiff noticed his motion to be heard on  
2 November 21, 2011.

3 On November 14, 2011, Plaintiff Troy Magarrell also filed a  
4 motion to withdraw "all previous motions filed by Attorney Mark S.  
5 Ravis docketed to be heard on November 21, 2011," Pl's Mot., ECF  
6 No. 181; a motion to permanently enjoin the medical diet being  
7 provided by the California Department of Corrections "that was a  
8 part of the complaint," Pl's Mot., ECF No. 182; and a motion to  
9 proceed in pro per, Pl's Mot., ECF No. 183.

10 On November 15, 2011, Plaintiff's counsel of record, Mark  
11 Ravis, filed a motion to withdraw as attorney of record for  
12 Plaintiff. Pl's Mot., ECF No. 180.

13 Accordingly, the court ORDERS as follows:

14 [1] The court VACATES the scheduled November 21, 2011  
15 hearing on Plaintiff's motions.

16 [2] Plaintiff's motion to withdraw all previous  
17 motions filed by Attorney Mark S. Ravis, docketed  
18 to be heard on November 21, 2011, is GRANTED.  
19 Plaintiff's motion for a new trial, filed through  
20 Plaintiff's counsel of record on October 19, 2011,  
21 is VACATED.

22 [3] Plaintiff's motion to withdraw as attorney of  
23 record is GRANTED.


24 [4] Plaintiff's motion to proceed in pro per is  
25 GRANTED.

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[2] Defendants are ORDERED to file oppositions to Plaintiff's motions for a mistrial and to vacate the verdict, and for a permanent injunction, within fourteen (14) days of the issuance of this order. Plaintiff has seven (7) days to file a reply after the filing of the Defendants' opposition. After receipt of the Defendants' opposition to Plaintiff's motions, as well as Plaintiff's reply, the matter will stand submitted.

IT IS SO ORDERED.  
DATED: November 17, 2011.

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT