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

MARVELLOUS A.X. GREENE,

Plaintiff,

2;05-cv-0330-GEB-JFM-P

vs.

C.D.C., et al.,

Defendants.

ORDER

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Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. On April 23, 2009, this court issued an order granting summary judgment for defendants. Judgment was entered on the same day. On April 30, 2009, plaintiff filed a motion to vacate the judgment pursuant to Fed. R. Civ. P. 59(e) and to disqualify the undersigned pursuant to 28 U.S.C. § 455. Plaintiff has not shown any grounds that support setting aside the judgment or that warrant disqualification of the undersigned.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's April 30, 2009 motion is denied.

Dated: August 13, 2009

  
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GARLAND E. BURRELL, JR.  
United States District Judge