

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

MICHAEL LENOIR SMITH,

Plaintiff, No. CIV S-05-1257 GEB KJM H

VS.

STATE OF CALIFORNIA, et al.,

Defendants. ORDER

Plaintiff is a California prisoner proceeding pro se with an action for violation of
42 U.S.C. § 1983. He has filed a motion asking that this matter be set for trial.
cannot be set for trial until the district court judge assigned to this case rules on
August 31, 2009 motion for reconsideration. Therefore, plaintiff's July 27, 2009
is matter be set for trial (#84) is denied.

DATED: September 10, 2009.



U.S. MAGISTRATE JUDGE

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