

FILED

UNITED STATES COURT OF APPEALS

FEB 10 2009

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK OF COURT  
U.S. COURT OF APPEALS

RICHARD ERNEST ANAYA,

Plaintiff - Appellant,

v.

ROSANNE CAMPBELL, Warden; N. GRANNIS; CHRISTOPHER J. SMITH M.D.; J. TEDDER, Medical Appeals Analyst; NALE, Doctor; A. AKINTOLA; SILVIA GARCIA, Chief Appeal Processing Coordinator; K. JOHNSON, Correctional Counselor CII; L. B. REAVES, Appeals Coordinator MCSP; E. A. REYES, Appeals Coordinator; S. KINNICK, Head of Education Department MATHEW L. CATE; INEZAZCONA; SUBIA; HAMILTON; CASP; HOEPNER WILLIAMS; CULLEN; FALKNER; PEREZ; JAMES; AGYEMAN; CLARK,

Defendants - Appellees.

No. 08-17388  
D.C. No. 2:07-cv-00029-GEB-GGH  
Eastern District of California,  
Sacramento

**ORDER**

Appellant's motion to dismiss, filed on January 23, 2009, is granted. See Fed. R. App. P. 42(b). This order served on the district court shall act as and for the mandate of this court.

FOR THE COURT:

Molly C. Dwyer  
Clerk of Court  
By: Robert Sansone  
Deputy Clerk