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

JOHN WESLEY WILLIAMS,

Plaintiff,

No. CIV S-07-2385 WBS GGH P

vs.

J. WALKER, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. On August 5, 2010, plaintiff filed a motion for judicial intervention (Doc. 65), in which he asked the court to intervene and order officials at the Kern Valley State Prison to return his legal materials to him. Plaintiff indicated that, since June 30, 2010, prison officials had denied him access to case files, exhibits, and other documents bearing on this case. Defendants opposed the motion as moot, based on correctional officer J. Amavisca’s sworn statement that, after being inadvertently sent to the wrong prison, all plaintiff’s legal materials were returned to him on August 6, 2010. The undersigned agrees that the motion is moot and that plaintiff has not been unduly harmed by the short delay in receiving his legal materials.

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Accordingly, IT IS HEREBY ORDERED, that plaintiff's motion (Doc. 65) is denied without prejudice.

DATED: September 1, 2010

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

GGH
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