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

MARVIN GLENN HOLLIS,

Plaintiff,

No. CIV S-09-1065 KJM P

vs.

J. MCGUIRE, et al.,

Defendants.

ORDER

_____/

Plaintiff has filed a request for an extension of time to file a notice of appeal concerning the court's October 9, 2009 order dismissing plaintiff's complaint with leave to amend and a request that this action be stayed pending appeal. Because the court's October 9, 2009 order is not appealable, 28 U.S.C. § 1291 et seq., plaintiff requests (#22 & #23) are denied. Plaintiff is advised if he continues to file frivolous motions, he will be sanctioned, possibly with dismissal of this action.

DATED: January 7, 2010.



U.S. MAGISTRATE JUDGE

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