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

KENNETH KNANISHU,

Plaintiff,

No. 2:10-cv-0005 JAM JFM (PC)

vs.

SACRAMENTO SHERIFF'S DEPT.,
et al.,

Defendants.

ORDER

On August 27, 2010, plaintiff filed a second motion to compel seeking an order compelling defendants to respond to interrogatories. Plaintiff's interrogatories were mailed to all defendants in this action. On August 25, 2010, however, the undersigned granted in part and denied in part defendants' July 2, 2010 motion to dismiss, recommending dismissal of the complaint as to defendants McGinness, Brelji and the Sacramento County Sheriff's Department. The undersigned also recommended dismissal with leave to amend as to defendant Jacoby. No objections were filed. The Honorable John A. Mendez has not yet ruled on whether the August 25, 2010 findings and recommendations have been adopted.

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1 In light of this procedural posture, IT IS HEREBY ORDERED that plaintiff's
2 August 25, 2010 motion to compel is denied without prejudice as premature.

3 DATED: September 23, 2010.

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6 UNITED STATES MAGISTRATE JUDGE

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