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

JOHN ALLEN RAINWATER,

Plaintiff,

No. CIV S-11-0030 GGH P

vs.

JOHN McGINNISS, Sheriff, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff is a civil detainee proceeding pro se and in forma pauperis in this action seeking relief pursuant to 42 U.S.C. § 1983. On September 2, 2011, plaintiff filed a motion for certain surveillance evidence to be preserved or produced. On September 30, 2011, plaintiff indicated that videos had been supplied, and he wishes to withdraw his motion. Defendants also sought sanctions against plaintiff in their opposition to the motion, but the court does not believe sanctions are warranted.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's motion (Doc. 23) is vacated and the request for sanctions against plaintiff is denied.

DATED: October 21, 2011

/s/ Gregory G. Hollows  
UNITED STATES MAGISTRATE JUDGE

GGH:AB  
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