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

SAMUEL ANDERSON,

Plaintiff,

No. 2:12-cv-0261 MCE KJN P

vs.

MATTHEW TATE, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding through counsel. On October 15, 2012, plaintiff filed a motion to discharge counsel. Plaintiff disagrees with counsel’s proposed course of action herein. However, in his motion, plaintiff states that “if the present motions were denied, then and only then should a new course of action be taken.” (Dkt. No. 92 at 2.) The district court has since dismissed plaintiff’s claims against defendants Gower, Terry, Davis, Stati, Lopez, Tate, and Wagner, and denied plaintiff’s motion for injunctive relief. (Dkt. Nos. 96, 97.) Moreover, at the time plaintiff filed the instant complaint, plaintiff was housed at High Desert State Prison (“HDSP”), and his allegations pertain to his medical treatment at HDSP. Plaintiff’s recent pro se filing reflects that plaintiff has since been transferred to the California State Prison in Los Angeles County (“CSP-LAC”); thus, plaintiff’s current pain complaints will be addressed by medical personnel at CSP-LAC who are not named defendants in this action. As a general

1 rule this court is unable to issue an order against individuals who are not parties to a suit pending
2 before it. Zenith Radio Corp. v. Hazeltine Research, Inc., 395 U.S. 100 (1969).

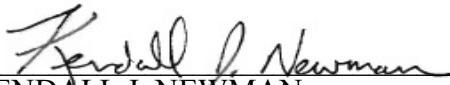
3 For all of these reasons, plaintiff's motion to discharge appointed counsel is
4 denied.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. Plaintiff's October 15, 2012 motion (dkt. no. 92) is denied without prejudice;
7 and

8 2. The Clerk of the Court shall serve a copy of this order on plaintiff Samuel
9 Anderson, V-84409, California State Prison, Los Angeles County, P.O. Box 8457, Lancaster,
10 California 93539-8457.

11 DATED: January 9, 2013

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14 KENDALL J. NEWMAN
15 UNITED STATES MAGISTRATE JUDGE

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