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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES HAMPTON,
Plaintiff,
v.
R. HAYNIE, et al.,
Defendants.

No. 2:14-cv-2038 KJN P

ORDER

Plaintiff is a state prisoner proceeding without counsel with a civil rights action pursuant to 42 U.S.C. § 1983. On December 31, 2014, plaintiff filed a document styled, “Motion for Writ of Mandate or to Impose Sanctions.” (ECF No. 15.) Plaintiff claimed that the California Department of Corrections and Rehabilitation was depriving him of his property to prevent him from proving the instant action. Plaintiff alleged that he was taken from California State Prison, Sacramento (“CSP-SAC”), to High Desert State Prison (“HDSP”) “on a medical and return,” while keeping his property at CSP-SAC. (ECF No. 15 at 2.) Plaintiff claims that he does not belong at HDSP and states that he has been at HDSP for almost a month without seeing his property. (ECF No. 15 at 2.)

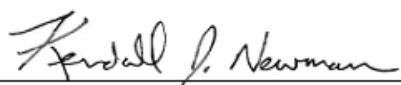
However, on January 16, 2015, plaintiff filed a notice of change of address, signed January 11, 2015, to a prison in Lancaster, California. Plaintiff did not address the status of his property in his recent filing.

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Given plaintiff's change of address, plaintiff's complaints about his housing at HDSP are now moot. Moreover, at the present time, no action on plaintiff's part is required in this action. The U.S. Marshal is executing service of process on defendants. (ECF No. 13.) Once defendants have filed an answer, the court will issue a discovery and scheduling order.

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion (ECF No. 15) is denied without prejudice.

Dated: February 3, 2015


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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