

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WAYNE D. SMITH,  
Plaintiff,  
v.  
OFFICER JOHN GIOVANNINI, et al.,  
Defendants.

No. 2:15-cv-1410 DB PS

ORDER

The parties have consented to Magistrate Judge jurisdiction over this action pursuant to 28 U.S.C. § 636(c)(1). (ECF No. 27.) On December 21, 2016, plaintiff filed a notice of interlocutory appeal. (ECF No. 31.) On February 3, 2017, plaintiff filed a motion for transcripts of a prior proceeding for “perfection of Plaintiff’s Appeal . . . .” (ECF No. 34 at 1.) However, on March 1, 2017, the Ninth Circuit dismissed plaintiff’s appeal for lack of jurisdiction. (ECF No. 38.) Plaintiff’s request for transcripts will, therefore, be denied.

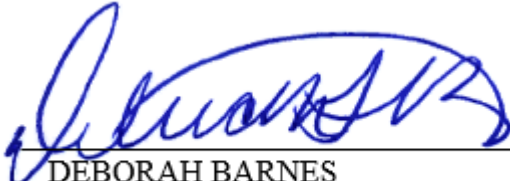
Also on February 3, 2017, plaintiff filed a document, styled as a motion, objecting to defendant’s interrogatories. (ECF No. 35.) Discovery responses are not filed with the court. Should a discovery dispute arise, plaintiff is advised to consult the Federal Rules of Civil Procedure, Local Rule 251, and the undersigned’s Standard Information re discovery disputes set forth on the court’s web page. See <http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-judge-deborah-barnes-db>

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, **IT IS ORDERED** that:

1. Plaintiff's February 3, 2017 motion for transcripts (ECF No. 34) is denied; and
2. Plaintiff's February 3, 2017 motion re objections (ECF No. 35) is denied.

Dated: March 6, 2017



---

DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

DLB:6  
DB\orders\orders.consent\smith1410.mots.ord