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28IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WELLS FARGO BANK,

Plaintiff,

v.

KEITH A. VANN,

Defendant.

No. C 12-04023 CRB

**ORDER DENYING AS MOOT  
MOTION TO RECUSE OR  
DISQUALIFY THE HONORABLE  
CHARLES R. BREYER**

Defendant Keith Vann has filed a Motion to Recuse or Disqualify the Honorable Charles R. Breyer Pursuant to 28 U.S.C. § 144 and 455(a). See Mot. (dkt. 19). That Motion is DENIED as MOOT because Plaintiff's case has already been remanded, see dkt. 8, and terminated, see dkt. 10. The Court therefore lacks jurisdiction to adjudicate the merits of Defendant's Motion. See Moore v. Permanente Med. Grp., Inc., 981 F.2d 443, 445 (9th Cir. 1992) (district court is divested of jurisdiction on the merits after remand).

**IT IS SO ORDERED.**

Dated: August 23, 2012

  
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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE