

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  
NORTHERN DISTRICT OF CALIFORNIA

D. BRIAN F. BARTOLOME,

Plaintiff,

No. C 07-4888 PJH

v.

**ORDER**

UNITED STATES, et al.,

Defendants.

\_\_\_\_\_ /

On February 1, 2008, the court issued an order adopting the Magistrate Judge's Report and Recommendation, and dismissing plaintiff's complaint with prejudice. A judgment was also filed. Later that same day, plaintiff filed four ex parte motions with the court: (1) a motion to revert decision of consent to the court; (2) a motion for the appointment of an attorney; (3) a motion to reset calendar dates; and (4) a motion to allow plaintiff's attendance by way of telephone call for the initial case management conference.

The first two motions were previously filed, and denied, by way of the Magistrate Judge's report and recommendation and the court's February 1 order adopting same. Furthermore, and with respect to the remaining two motions as well, the court's orders dismissing plaintiff's complaint and entering judgment in the case effectively moot all subsequently filed motions. Accordingly, all four motions are hereby DENIED as moot.

Plaintiff is further advised that, with the exception of any notice of appeal which he seeks to pursue before the Ninth Circuit, he is not to file any further filings or motions before this court, as doing so will unnecessarily delay the prosecution of any appeal.

**IT IS SO ORDERED.**

Dated: February 5, 2008



\_\_\_\_\_  
PHYLLIS J. HAMILTON  
United States District Judge

**United States District Court**  
For the Northern District of California