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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID J. NELSON,)	
)	
Plaintiff(s),)	No. C09-5162 PJH (BZ)
)	
v.)	
)	REPORT AND RECOMMENDATION
ROBERT DAVID NEAL,)	
)	
Defendant(s).)	
_____)	

On March 16, 2010 this matter was referred to me by Judge Hamilton for a Report and Recommendation on the application for writ of execution filed by John Wall, an interested party in this lawsuit. I issued an Order for Further Briefing.

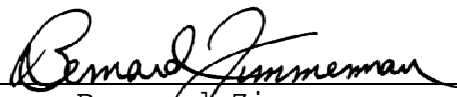
On April 14, 2010 I received a response from Mr. Wall informing the Court that he "has decided to terminate his dealings with Mr. Nelson and thus has ended his interest" in this case. He also raised "no objection" to my briefing order, which stated that if he did not submit additional authority in support of his application by April 9, I would recommend that it be denied. No authority has been provided.

In view of Mr. Wall's letter, I recommend that the court

1 find that he has not established that he is entitled to apply
2 for a writ of execution, and that his application be **DENIED**.

3 Dated: April 20, 2010

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Bernard Zimmerman
United States Magistrate Judge

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