

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

XAVIER DANIELS,

Plaintiff,

v.

STEVE UPTON, et al.,

Defendants.

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CV 616-094

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O R D E R

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Before the Court is Waseem Daker's motion for reconsideration. (Doc. 76.) Mr. Daker asks this Court to reconsider its order, and the corresponding judgment, dismissing the underlying case, dismissing as moot all pending motions, and denying the underlying plaintiff the right to proceed in forma pauperis ("IFP") on appeal. (Docs. 70, 71.) The order Mr. Daker asks this Court reconsider, however, does not directly concern Mr. Daker.<sup>1</sup> Additionally, this Court has previously denied Mr.

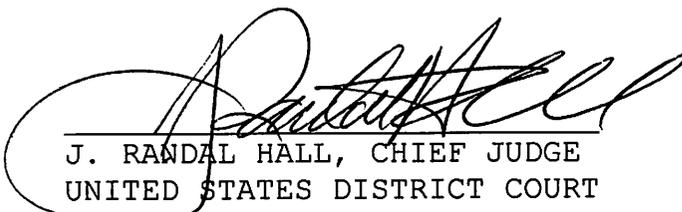
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<sup>1</sup> While the Court's order technically denied the last of Mr. Daker's three motions to proceed IFP on appeal (doc. 64) when it dismissed as moot all pending motions, the Court notes that it had already denied Mr. Daker's first two motions to proceed IFP on appeal (docs. 54, 61) in a previous order (doc. 66). Mr. Daker, moreover, does not appear to challenge the Court's denial of his third motion to proceed IFP in his motion for reconsideration. Nevertheless, to the extent that Mr. Daker's motion for reconsideration relates to this Court's denial of his third motion to proceed IFP, for the reasons stated in the Court's previous order (doc. 66), the Court **DENIES** Mr. Daker's motion.

Daker the right to intervene in this case.<sup>2</sup> (Docs. 41, 46.)

Accordingly, the Court **DENIES** Mr. Daker's motion. (Doc. 76.)

**ORDER ENTERED** at Augusta, Georgia, this 7<sup>th</sup> day of May,  
2018.



J. RANDAL HALL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

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<sup>2</sup> The Court notes that while Mr. Daker has appealed the denial of his motion to intervene, "[i]f intervention is denied, an appeal from that denial does not prevent the proceedings from going forward in the district court." De Mesa v. Castro, 844 F.2d 642, 645 (9th Cir. 1988).