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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JIMMY EARL DOWNS,	)	3:09-cv-00569-HDM-VPC
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
JAMES BACA, et al.,	)	
	)	
Defendants.	)	
	)	

Before the court are defendants Christine Napolitano and Andrew Napolitano's motions to dismiss (#17), for judgment on the pleadings (#18), and for summary judgment (#19). Also before the court is plaintiff's motion to transfer (#9). The amended complaint in this action has not yet been screened. These motions are therefore premature. Accordingly, the motion to dismiss (#17), motion for judgment on the pleadings (#18), motion for summary judgment (#19), and motion to transfer (#9) are hereby **DENIED WITHOUT PREJUDICE.**

DATED: This 23rd day of July, 2010.

*Howard D McKibben*  
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 UNITED STATES DISTRICT JUDGE