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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANDREW L. MEEKS, II,	)	3:10-cv-00474-HDM-VPC
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
E. PETERMAN, et al.,	)	
	)	
Defendants.	)	
_____	)	

On May 11, 2011, the magistrate judge entered a report and recommendation (#30) granting the defendants' motion to dismiss (#11). Plaintiff objected to the report and recommendation on May 26, 2011 (#31). The defendants' opposed plaintiff's objections on June 6, 2011 (#32). On June 15, 2011, this court entered an order adopting the magistrate judge's report and recommendation (#33).

On June 20, 2011, plaintiff filed a motion to strike the defendants' opposition to his objections to the magistrate judge's report and recommendation (#34). Defendants' opposed the motion to strike on June 22, 2011 (#35). Defendants argue the motion to

1 strike is moot because the court had already adopted the magistrate  
2 judge's report and recommendation. Plaintiff did not reply.

3 On July 13, 2011, plaintiff appealed this court's order  
4 adopting the magistrate's report and recommendation(#36). On  
5 August 10, 2011, plaintiff's appeal was dismissed for lack of  
6 jurisdiction (#39). The mandate was filed on September 1, 2011  
7 (#40). This court's order on the mandate was filed on September 6,  
8 2011 (#41).

9 The court having jurisdiction over this action again hereby  
10 DENIES plaintiff's motion to strike (#34) as moot having already  
11 adopted the magistrate judge's report and recommendation when the  
12 motion to strike was filed.

13 IT IS SO ORDERED.

14 DATED: This 12th day of September, 2011.

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17 UNITED STATES DISTRICT JUDGE

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