Cross v. Jaeger et al Doc. 364

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY CROSS,	)	3:13-cv-00433-MMD-WGC
	)	
Plaintiff,	)	**MINUTES OF THE COURT**
	)	
vs.	)	December 19, 2016
	)	
RON JAEGER,	)	
	)	
Defendant.	)	
	)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's "Emergency Motion Requesting Court Order Directing the NDOC Officials to Preserve Inmate Anthony Medel's #1029953 Disciplinary Hearing" (ECF No. 356). Although Defendant has filed what is styled an "Opposition" to Plaintiff's motion, Defendant's counsel has indicated that "the Attorney General's Office has contacted the NDOC and requested that a litigation hold be placed on inmate Anthony Medel's file." (ECF No. 363 at 2). Defendant's counsel further represents that "[i]n addition to requesting that a litigation hold be placed on the file, the Attorney General's Office has requested the specific disciplinary hearing documents and grievances be retrieved from storage and sent to counsel." (ECF No. 363 at 2).

In view of counsel's representations, Plaintiff's motion (ECF No. 356) is therefore **DENIED** as moot. The hearing scheduled on **Wednesday, December 21, 2016 at 9:00 a.m.** is **VACATED**. The Office of the Attorney General shall notify Ely State Prison of this ruling.

Although Defendant though his counsel has indicated a willingness to preserve the documents identified by Plaintiff in his motion, Defendant challenges the relevancy of those materials (ECF No. 363 at 2-3). The court is not at this time addressing the relevancy or admissibility of these documents; that is a matter reserved for District Judge Miranda M. Du with respect to the trial of this matter.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk

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