

asserted under 42 U.S.C. § 1983 based upon the violation of his due process rights. *Id.* The court informed Plaintiff that the failure to do so would result in dismissal of those claims. *Id.* The court also allowed Plaintiff to submit a motion to seek additional discovery within thirty days of the Order -- October 25, 2015. *Id.* Instead of doing so, Plaintiff appealed this court's order to the Court of Appeals for the Third Circuit on October 9, 2015, opened at USCA Case Number 15-3455. *See* Notice of Appeal [ECF No. 104].

Thereafter, on November 24, 2015, Plaintiff filed multiple discovery motions seeking additional discovery [ECF No. 108], to take depositions [ECF No. 109] and a request for documents and electronically stored information [ECF No. 110].

Because this case is presently on appeal, the following Order is entered:

AND NOW, this 3rd day of December, 2015, IT IS HEREBY ORDERED that Plaintiff's motion to seek additional discovery [ECF No. 108], motion for leave to take oral deposition [ECF No. 109] and motion for leave to request for documents and electronically stored information [ECF No. 110] are denied without prejudice to resubmit following the disposition of the appeal;

IT IS FURTHER ORDERED that this case be marked CLOSED pending the resolution of the appeal.

By the court,

/s/ Joy Flowers Conti

The Honorable Joy Flowers Conti
United States Chief District Judge

cc: The Honorable Cynthia Reed Eddy
United States District Court
Western District of Pennsylvania

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