

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JOHN EAKIN,

Plaintiff,

vs.

UNITED STATES DEPARTMENT
OF DEFENSE,

Defendant.

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Civil Action No. SA-16-CV-0972

DEFENDANT’S MOTION TO WITHDRAW ITS MOTION TO STAY

The Defendant, United States Department of Defense (“DoD”), hereby moves to withdraw its motion to stay [Doc. at 33], and in support thereof states as follows:

1. On January 22, 2018, Defendant filed a motion to stay this case due to the lapse in appropriations for the federal government.
2. The Court has not yet ruled on DoD’s motion to stay.
3. Defendant’s motion is now moot as spending appropriations were in place by January 23, 2018. As a result, the Defendant seeks to withdraw its motion to stay.

For the reasons cited herein, DoD respectfully requests that the Court grant this motion.

DATED: January 24, 2018

Respectfully submitted,

JOHN F. BASH,
United States Attorney

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was electronically filed via the Court's CM/ECF system on this 24th day of January, 2018, and was served via U.S. Mail as follows:

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PRO SE

/s/ MARY F. KRUGER
MARY F. KRUGER
Assistant United States Attorney