

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
HELENA DIVISION**

ALAN R. KING, JR.
REG. #08297-028

PLAINTIFF

V.

NO: 2:09CV00163 JMM/HDY

USA

DEFENDANT

ORDER

Plaintiff filed this *pro se* complaint on July 9, 2009. On March 25, 2010, United States Magistrate Judge H. David Young entered an order denying Plaintiff's third motion for appointment of counsel (docket entry #39). On April 2, 2010, Plaintiff filed a notice that he is appealing that decision to the undersigned (docket entry #43). Plaintiff's notice of appeal will be treated as a motion for reconsideration.

Federal law provides:

Notwithstanding any provision of law to the contrary--

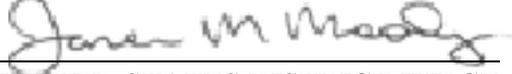
(A) a judge may designate a magistrate judge to hear and determine any pretrial matter pending before the court, except a motion for injunctive relief, for judgment on the pleadings, for summary judgment, to dismiss or quash an indictment or information made by the defendant, to suppress evidence in a criminal case, to dismiss or to permit maintenance of a class action, to dismiss for failure to state a claim upon which relief can be granted, and to involuntarily dismiss an action. A judge of the court may reconsider any pretrial matter under this subparagraph (A) where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law.

28 U.S.C. § 636(b)(1)(A). *See also* Local Rule 72.1 VII.

Nothing in Judge Young's denial of Plaintiff's motions for appointed counsel is clearly erroneous or contrary to law. Accordingly, Plaintiff's notice of appeal, which is essentially a motion

for reconsideration by the undersigned, (docket entry #43) is DENIED.

IT IS SO ORDERED this 8 day of April, 2010.


UNITED STATES DISTRICT JUDGE