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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

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GREGORY MCKINNEY,

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No. 1:04-CV-06030-SMM

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Plaintiff,

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ORDER

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v.

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T. CASEY, et. al.

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Defendants.

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Before the Court are several objections filed by Plaintiff to orders issued by the magistrate judge (Docs. 72-74). Plaintiff objects to the following orders: (1) November 6, 2008 Order denying Plaintiff’s Motion to Compel Discovery (Doc. 64); (2) November 17, 2008 Order denying Plaintiff’s Motion for Appointment of Counsel without prejudice (Doc. 69); (3) November 17, 2008 Order denying Plaintiff’s motion to compel the production of his deposition transcripts without cost (Doc. 70).

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28 U.S.C. § 636 allows a district court judge to designate a magistrate judge to hear and determine designated pretrial matters pending before the Court. A district court judge is permitted to reconsider any such pretrial matters “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).

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On August 3, 2009, the Court granted Defendants’ summary judgment motion and denied Plaintiff’s opposition motion (Doc. 89). Judgment was entered the same day (Doc. 90). Plaintiff has now appealed the Court’s summary judgment ruling to the Ninth Circuit Court of Appeals (Doc. 93). In light of Plaintiff’s appeal, the Court will deny the objections as moot.

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Accordingly,

IT IS HEREBY ORDERED DENYING Plaintiff's objections to the magistrate judge's rulings as moot (Docs. 72-74).

DATED this 22nd day of October, 2009.



Stephen M. McNamee
United States District Judge