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

RUCHELL CINQUE MAGEE,

 Plaintiff,

 v.

D. BRAVO, et al.,

 Defendants.

NO. 1:07-cv-01766-OWW-WMW-PC
ORDER RE MOTIONS
(Docs. 34, 35)

Plaintiff is a state prisoner proceeding pro se in this civil rights action. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. Pending before the Court are Plaintiff’s motions filed after entry of judgment.

On March 10, 2008, findings and recommendations were entered, recommending that Plaintiff’s application to proceed in forma pauperis be denied pursuant to 28 U.S.C. § 1915(g), and Plaintiff be directed to pay the \$350 filing fee in full. Plaintiff did not file objections to the findings and recommendations. On April 15, 2008, the findings and recommendations were adopted in full. Plaintiff’s application to proceed in forma pauperis was denied pursuant to 28 U.S.C. § 1915(g), and Plaintiff was directed to submit the \$350 filing fee in full.

On May 7, 2008, Plaintiff lodged a writ of mandamus at the U.S. Court of Appeals for the Ninth Circuit. On June 12, 2008, an order was entered by that court, indicating that “the appeal and petition are so insubstantial as to not warrant further review.” Plaintiff failed to pay

1 the filing fee for this action, and on February 17, 2009, this action was dismissed without
2 prejudice pursuant to Local Rule 110 for Plaintiff's failure to pay the filing fee. Judgment was
3 entered pursuant to that order. On March 2, 2009, Plaintiff filed a Notice of Appeal of the
4 judgment entered on February 17, 2009. On April 30, 2009, an order was entered by the U.S.
5 Court of Appeals for the Ninth Circuit, indicating that the appeal shall not be permitted to
6 proceed, and that "no motions for reconsideration, rehearing, clarification, stay of the mandate, or
7 any other submissions shall be filed or entertained in this closed docket."

8 Plaintiff has filed motions titled as a "Motion/Demand for the Chair, U.S. House of
9 Judiciary Committee to Review Evidence Judges Fear," and "Motion for Writ of Habeas Corpus
10 to be Filed Separate re Complaint." These motions consist of incoherent arguments regarding
11 Plaintiff's underlying criminal conviction in 1963. The basis of dismissal in this case was
12 Plaintiff's failure to prosecute his action by paying the filing fee. Neither motion seeks any post
13 judgment relief that this Court can provide.

14 Accordingly, IT IS HEREBY ORDERED that Plaintiff's post judgment motions
15 regarding his underlying criminal convictions are denied.

16
17 IT IS SO ORDERED.

18 **Dated: June 28, 2010**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE