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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ERIC CHARLES RODNEY K’NAPP,

CASE NO. 1:09-cv-00412-GSA PC

Plaintiff,

ORDER DENYING MOTION TO HAVE A  
DISTRICT JUDGE RECONSIDER THE  
SCREENING ORDER, AND REQUIRING  
COMPLIANCE WITH SCREENING ORDER  
WITHIN THIRTY DAYS

v.

JAMES A. YATES, et al.,

Defendants.

(Doc. 11)

Plaintiff Eric Charles Rodney K’napp is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On July 28, 2009, the Court dismissed Plaintiff’s complaint, with leave to amend, for failure to state any claims. On August 12, 2009, Plaintiff filed a motion seeking to have the screening order reconsidered by a United States District Judge, and a stay pending the district judge’s order.

Plaintiff consented to United States Magistrate Judge jurisdiction on March 23, 2009, and this action is assigned to the undersigned pursuant to Appendix A(k)(4) of the Local Rules of the Eastern District of California. Therefore, Plaintiff may not seek reconsideration of the Court’s order by a district judge. Further, Plaintiff’s disagreement with the Court’s order provides no basis for the withdrawal of his earlier consent. Dixon v. Ylst, 990 F.2d 478, 480 (9th Cir. 1993).

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1 Plaintiff's motion to have a district judge reconsider the Court's screening order is HEREBY  
2 DENIED. Appendix A(k)(4) of the Local Rules.

3 Plaintiff has **thirty (30) days** to comply with the order to file an amended complaint.  
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6 IT IS SO ORDERED.

7 **Dated: August 19, 2009**

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE

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