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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FLOYD EUGENE BENDER,

Plaintiff,

v.

W.J. SULLIVAN, et al.,

Defendants.

CASE NO. 1:09-cv-00576-YNP PC

ORDER DENYING MOTIONS

(Doc. 7, 8)

Plaintiff Floyd Eugene Bender (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to jurisdiction by U.S. Magistrate Judge. Before the Court are two motions filed by Plaintiff.

On June 23, 2009, Plaintiff filed a motion requesting that the Court screen Plaintiff’s complaint. The Court is required to screen complaints from prisoners pursuant to 28 U.S.C. § 1915A. Plaintiff is advised that it is not necessary to file a motion requesting screening of his complaint. The Court has many civil rights complaints from prisoner litigants on its docket. Filing a motion requesting screening has no effect on how quickly a complaint is screened. Further, the Court notes that Plaintiff’s complaint was screened on February 19, 2010. Accordingly, Plaintiff’s motion will be denied.

On June 23, 2009, Plaintiff also filed a motion “to Change Judge from Magistrat[e] to District Judge.” Plaintiff offers no legal authority or argument that permits Plaintiff to request a change in the judge who presides over this action. Absent any legal authority that permits Plaintiff to request this type of action, the Court will deny Plaintiff’s request.

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Accordingly, it is HEREBY ORDERED that:

- 1. Plaintiff's motion requesting screening of his complaint is DENIED; and
- 2. Plaintiff's motion requesting a change from Magistrate Judge to District Judge is DENIED.

IT IS SO ORDERED.

Dated: March 1, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE