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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT G. BAKER
Plaintiff,
v.
CONNIE GIPSON, et al.,
Defendants.

CASE NO. 1:13-cv-01931-MJS (PC)
**ORDER DENYING OBJECTIONS TO
ORDER DENYING MOTION FOR
SUMMARY JUDGMENT**
(ECF Nos. 59, 60)

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. (ECF Nos. 7 & 10.) The action proceeds against Defendant Kitt on Plaintiff's Eighth Amendment inadequate medical care claim. (ECF No. 11.) On May 13, 2016, the undersigned denied Defendant's motion for summary judgment. (ECF No. 56.) On May 27, 2016, Defendant twice filed identical objections to the Court's order pursuant to Federal Rule of Civil Procedure 72 and Local Rules 303 and 304.¹

¹ The objections identify the Defendant in this case as Dr. Mui. (ECF No. 59 at 2.) Defendant's motion for summary judgment identified the Defendant as Dr. Pineda. (ECF No. 48-3 at 12). The actual Defendant in this case is Dr. Kitt. This repeated misidentification has created confusion for the Court and for Plaintiff. (See ECF No. 49 at 3.) The twice erroneously filed (see below) objections did likewise. Such careless errors not only confuse; they waste time of the Court and the parties. All make errors of this nature on occasion, but counsel for the defense has exceeded the quota by far. It is time counsel give federal court filings the attention they deserve. Repeated such error will be sanctioned.

1 Rule 72 and Local Rules 303 and 304 apply in matters referred to a Magistrate
2 Judge pursuant to 28 U.S.C. § 636(b). It is apparent that Defendant wishes the
3 objections to be reviewed de novo by a District Judge. However, the instant matter is
4 before the undersigned for all purposes pursuant to the consent of the parties and 28
5 U.S.C. § 636(c). (ECF Nos. 8, 33.) Review of this matter by a District Judge therefore is
6 not available to Defendant.

7 To the extent Defendant wishes to seek further review of the order denying his
8 motion for summary judgment, he may file a motion for reconsideration of same, keeping
9 in mind that the applicable standard of review differs from that presented in Defendant's
10 objections.

11 Accordingly, the objections are HEREBY DENIED without prejudice to Defendant
12 raising his arguments in a properly filed motion.

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14 IT IS SO ORDERED.

15 Dated: June 1, 2016

/s/ Michael J. Seng
16 UNITED STATES MAGISTRATE JUDGE
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