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

EUGENE FORTE,

Plaintiff,

v.

TIMOTHY SCHWARTZ,

Defendant.

1:13-CV-1980-LJO-MJS

**MEMORANDUM DECISION AND
ORDER RE PLAINTIFF’S MOTION
(Doc. 134)**

Pro se Plaintiff Eugene Forte filed a motion in which he requests the following:

1. [District Judge Dale. A.] Drozd and [Magistrate Judge Barbara A.] McAuliffe be charged with civil and/or criminal contempt of court.
2. Judges Drozd and McAuliffe be investigated for their injudicious conduct and violations of their code of ethics.
3. Judges Drozd and McAuliffe be fined and/or imprisoned for obstructing justice.
4. Judges Drozd, O’Neill and McAuliffe be referred to the US Attorney’s Office for prosecution.
5. Judge O’Neill disqualify himself from this proceeding.
6. Judge O’Neill issue an order REQUESTING FOR U.S. ATTORNEY’S OFFICE TO PROSECUTE CRIMINAL CONTEMPT OF COURT BY JUDGES DROZD AND MCAULIFFE (as Judge Drozd did to Plaintiff Forte.)
7. The court provide notice to Judge Drozd and Judge McAuliffe of this OSC. Plaintiff Forte will also provide notice to them via mail and personal service with email courtesy copies sent to their court clerks.

Doc. 134 at 29. Plaintiff’s requests and motions are DENIED. With the exception of the fifth request, Plaintiff’s requests are not properly before the undersigned. In any event, none of Plaintiff’s requests has

1 any provided factual or legal merit. With regard to Plaintiff's fifth request, Plaintiff has provided no
2 compelling reason why the undersigned should be disqualified.

3
4 IT IS SO ORDERED.

5 Dated: April 19, 2017

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE