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

5 **EUGENE E. FORTE,**

6 **Plaintiff,**

7 **v.**

8 **TIMOTHY SCHWARTZ,**

9 **Defendant.**

1:13-cv-1980-LJO-SMS

**ORDER RE PLAINTIFF'S EX PARTE
APPLICATION (Doc. 85)**

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12 Plaintiff Eugene E. Forte has filed an ex parte application in which he requests that the Court
13 order Magistrate Judge Barbara A. McAuliffe to be removed from the case *Forte v. Merced County*,
14 1:15-cv-147-DAD-BAM. Doc. 85. The undersigned lacks the authority to do so because the case is
15 assigned to another District Judge. Plaintiff's request is therefore DENIED.

16 IT IS SO ORDERED.

17 Dated: July 25, 2016

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