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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JASON E. PELLUM, SR.,

Plaintiff,

v.

LAWRENCE J. O'NEILL,

Defendant.

Old Case No. 1:15-cv-00120 LJO DLB PC
New Case No. 1:15-cv-00120 AWI DLB PC

**ORDER OF RECUSAL AND
REASSIGNMENT**

Plaintiff Jason E. Pellum, Sr., is a California state prisoner proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on January 9, 2015.

A judge must disqualify himself if “his impartiality might be reasonably questioned,” 28 U.S.C. § 455(a), or if he “is a party to the proceeding . . . ,” 28 U.S.C. § 455(b)(5). The objective test for determining whether recusal is required is whether a reasonable person with knowledge of all the facts would conclude that the judge’s impartiality might reasonably be questioned. United States v. Johnson, 610 F.3d 1138, 1147 (9th Cir. 2010) (quotation marks and citation omitted); Pesnell v. Arsenault, 543 F.3d 1038, 1043 (9th Cir. 2008).

In this case, Plaintiff names the undersigned as Defendant. Therefore, the Court deems it necessary to disqualify the undersigned. 28 U.S.C. §§ 455(a), (b)(5).

Accordingly, the undersigned is **HEREBY RECUSED** and this action is **REASSIGNED** to the docket of District Judge Anthony W. Ishii. The case number to be used on all future filings is as

1 follows:

2 **1:15-cv-00120-AWI-DLB-PC**

3
4 IT IS SO ORDERED.

5 Dated: **January 29, 2015**

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

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