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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SEAVON PIERCE,
Plaintiff,
v.
PRESIDENT BARACK OBAMA, et al.,
Defendants.

Case No. 1:15-cv-00650 LJO DLB PC
ORDER REGARDING PLAINTIFF’S
MISCELLANEOUS FILINGS
[ECF Nos. 29, 30]

Plaintiff Seavon Pierce (“Plaintiff”) is a California state prisoner proceeding pro se and in forma pauperis in this civil action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on November 12, 2014, in the Sacramento Division of the United States District Court for the Eastern District of California. The matter was designated as a civil rights action. Plaintiff filed a First Amended Complaint on December 9, 2014. He filed a Second Amended Complaint on December 15, 2014. On April 28, 2015, the case was transferred to the Fresno Division. On October 5, 2015, the Magistrate Judge screened and dismissed the Second Amended Complaint, with leave to file a Third Amended Complaint.

On October 19, 2015, Plaintiff filed two vague pleadings. The crux of Plaintiff’s complaints appears to be his belief that the Magistrate Judge has been “recused” and therefore has no jurisdiction to render any decisions in this matter. Plaintiff also claims that the Magistrate Judge has admitted and consented to illegal acts. Plaintiff is incorrect. First, the Magistrate

1 Judge has not recused himself or been recused or disqualified in this matter. Second, Plaintiff's
2 allegation that the Magistrate Judge has admitted or consented to illegal acts is completely
3 unfounded. Third, it is true that Plaintiff has not consented to have the Magistrate Judge conduct
4 any and all proceedings in this matter; nevertheless, under 28 U.S.C. § 636(b) and Local Rule
5 302, the matter has been referred to the Magistrate Judge to hear and determine all pretrial
6 matters and all hearings in this matter. With respect to any dispositive motions, the Magistrate
7 Judge is authorized to submit proposed findings of fact and recommendations to this Court,
8 which he has done.

9 **ORDER**

10 Accordingly, IT IS HEREBY ORDERED that Plaintiff's miscellaneous motions (ECF
11 Nos. 29, 30] including his motion for disqualification are DENIED. Pursuant to 28 U.S.C. §
12 636(b), the matter is REFERRED BACK to the Magistrate Judge for further proceedings.

13
14 IT IS SO ORDERED.

15 Dated: November 2, 2015

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