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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHANNON RILEY,
Plaintiff,
v.
TALLERICO and YERRY,
Defendants.

Case No. 1:16-cv-01189-AWI-EPG (PC)
ORDER OVERRULING PLAINTIFF'S
OBJECTIONS
(ECF NO. 78)

Shannon Riley ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On December 8, 2017, Magistrate Judge Erica P. Grosjean issued findings and recommendations, recommending that all claims and defendants be dismissed, except for Plaintiff's claim against Officer Yerry for violation of Plaintiff's Fourteenth Amendment rights to equal protection related to the May 16, 2015 incident, his claim for retaliation in violation of the First Amendment against Officers Yerry and Trotter regarding their cell search, his claim against Defendant Tallerico for retaliation in violation of the First Amendment, and his claims against Officer Yerry for violation of the Eighth Amendment. (ECF No. 53, p. 10).

On February 7, 2018, this Court adopted the findings and recommendations in part, and

1 allowed this action to proceed on Plaintiff's "claim against Officer Yerry for violation of
2 Plaintiff's Fourteenth Amendment rights to equal protection related to the May 16, 2015 incident,
3 his claim for retaliation in violation of the First Amendment against Officer Yerry regarding the
4 cell search, his claim against Defendant Tallerico for retaliation in violation of the First
5 Amendment, and his claims against Officer Yerry for violation of the Eighth Amendment." (ECF
6 No. 62, pgs. 3-4). All other claims and defendants were dismissed. (Id. at 4).

7 On February 16, 2018, Plaintiff filed a motion for reconsideration of this Court's order
8 adopting the findings and recommendations. (ECF No. 66). On May 9, 2018, this Court denied
9 Plaintiff's motion for reconsideration. (ECF No. 71).

10 On June 1, 2018, Plaintiff filed "Ex Parte Objection to Magistrate Ruling, (ECF No. 71),
11 Fed. R. Civ. P. 72(b)(2)." (ECF No. 78). Plaintiff states that he objects to the magistrate judge's
12 ruling. However, it was this Court that denied Plaintiff's motion for reconsideration, not the
13 assigned magistrate judge. Accordingly, objections pursuant Federal Rule of Civil Procedure 72
14 are not appropriate. Moreover, as Plaintiff himself states in his objections, he is making
15 arguments to this Court that he has already made. (Id. at 1).

16 Accordingly, IT IS ORDERED that Plaintiff's objections are OVERRULED.

17 IT IS SO ORDERED.

18 Dated: June 19, 2018

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21 SENIOR DISTRICT JUDGE