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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VESTER L. PATTERSON,
Petitioner,
v.
JOEL MARTINEZ,
Respondent.

Case No. 1:16-cv-01215-LJO-SAB-HC
ORDER DENYING PETITIONER’S RULE
72(a) MOTION
(ECF No. 19)

Petitioner is a state prisoner proceeding pro se in a habeas corpus action pursuant to 28 U.S.C. § 2254.

On November 4, 2016, Petitioner filed the instant motion, requesting review of the magistrate judge’s denial of Petitioner’s motion to expedite proceedings. (ECF No. 19). The Court may modify or set aside the magistrate judge’s order only if it is “clearly erroneous or contrary to law.” Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). As the magistrate judge previously advised Petitioner, the Court’s docket of pending cases is substantial and the Court must act first on those matters that have been pending the longest. The Court finds that the magistrate judge’s denial of the motion to expedite proceedings was not clearly erroneous or contrary to law. The Court will review Petitioner’s habeas petition when it is fully briefed and ready for review.

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Accordingly, IT IS HEREBY ORDERED that Petitioner’s Rule 72(a) motion (ECF No. 19) is DENIED.

IT IS SO ORDERED.

Dated: December 14, 2016

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