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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SEAVON PIERCE,
Plaintiff,
v.
U.S. CONGRESS,
Defendant.

CASE NO. 1:16-cv-01282-DAD-MJS (PC)
**ORDER REGARDING MOTION FOR
RECONSIDERATION**
(ECF No. 9)
**CLERK TO PROCESS ECF No. 9 AS
NOTICE OF APPEAL**

Plaintiff is a state prisoner proceeding pro se in a civil action. On September 13, 2016, the undersigned issued findings and a recommendation to deny Plaintiff's motion to proceed in forma pauperis on the grounds Plaintiff had incurred three "strikes" within the meaning of 28 U.S.C. § 1915(g) and had not raised allegations of imminent danger. (ECF No. 4.)

On September 26, 2016, Plaintiff filed objections to the findings and recommendation and simultaneously filed a motion or disqualification. (ECF No. 5.) The undersigned denied the motion for disqualification and issued supplemental findings and recommendations regarding the motion to proceed in forma pauperis. (ECF No. 8.) On

1 October 17, 2016, Plaintiff filed objections to the findings and recommendations. (ECF
2 No. 9.) Therein, Plaintiff sought further review of the denial of his motion for
3 disqualification. (Id.) Although the request was docketed as a motion for reconsideration,
4 it plainly was intended as a notice of appeal.

5 Accordingly, the Clerk of Court is HEREBY DIRECTED to process ECF No. 9 as
6 a notice of appeal of the order denying Plaintiff's motion for disqualification (ECF No. 8).

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8 IT IS SO ORDERED.

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Dated: October 31, 2016

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

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