

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA

7
8 SCOTT BARBOUR,

9 Plaintiff,

10 vs.

11 UNITED STATES OF AMERICA,

12 Defendant.

1:18-cv-00246-LJO-GSA-PC

**ORDER DIRECTING THE CLERK'S
OFFICE TO ADMINISTRATIVELY RE-
DESIGNATE THIS CASE AS A 440 CIVIL
ACTION, RANDOMLY REASSIGN
MAGISTRATE JUDGE, AND ISSUE ALL
APPLICABLE STANDING ORDERS,
SCHEDULING ORDERS, AND PROCESS**

13
14 Scott Barbour ("Plaintiff") is a federal prisoner proceeding *pro se* and *in forma pauperis*
15 with this case. On February 20, 2018, Plaintiff filed the Complaint commencing this action.
16 (ECF No.) The Clerk designated the case as a prisoner civil rights action pursuant to 42 U.S.C.
17 § 1983. Upon further review by the court, it has been determined that the present action is a
18 civil action pursuant to the Federal Tort Claims Act, 28 U.S.C. § 1346(b).

19 Accordingly, the Clerk's Office is HEREBY DIRECTED to:

- 20 1. Re-designate this action as a civil action with nature of suit 440;
21 2. Randomly reassign this case to another Magistrate Judge; and
22 3. Issue all applicable standing orders, scheduling orders, and process.

23 Further, the parties shall omit the PC designation from the new case number.

24
25 IT IS SO ORDERED.

26 Dated: February 18, 2019

/s/ Gary S. Austin
27 UNITED STATES MAGISTRATE JUDGE
28