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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DANNY JAMES COHEA,

Plaintiff,

v.

J. COLVIN, D. McCARGAR, S.L.
BAUGHMAN, M.A. MICHEELS, R
YAMAMOTO, SD AKIN, D. ADAMS,
and A GOLD,

Defendants* .

No. 2:00-cv-02799-GEB-EFB

**ORDER DENYING PLAINTIFF'S MOTION
FOR RECONSIDERATION**

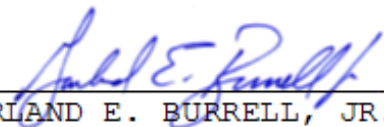
On June 19, 2015, Plaintiff filed "Objections," in which he seeks reconsideration of the Magistrate Judge's June 5, 2015 denial, in part, of his motion to obtain the attendance of certain incarcerated and unincarcerated witnesses. Specifically, Plaintiff objects to the Magistrate Judge's denial of the motion as to incarcerated witnesses Chappell, Wiley, Evans, James, Wallace, and Love, and every unincarcerated witness. (Pl.'s Objs. 14, ECF No. 291.)

Local Rule 303(f) states "[t]he standard that the assigned Judge shall use in [reconsideration of a Magistrate Judge's ruling] is the 'clearly erroneous or contrary to law' standard set forth in 28 U.S.C. § 636(b)(1)(A)." "A [M]agistrate [J]udge's factual findings are 'clearly erroneous' when the

1 district court is left with the definite and firm conviction that
2 a mistake has been committed." Mackey v. Frazier Park Pub. Util.
3 Dist., No. 1:12-CV-00116-LJO-JLT, 2012 WL 5304758, at *2 (E.D.
4 Cal. Oct. 25, 2012) (quoting Sec. Farms v. Int'l Bhd. of
5 Teamsters, 124 F.3d 999, 1014 (9th Cir. 1997). "An order 'is
6 contrary to law when it fails to apply or misapplies relevant
7 statutes, case law, or rules of procedure.'" Id. (quoting Knutson
8 v. Blue Cross & Blue Shield of Minn., 254 F.R.D. 553, 556 (D.
9 Minn. 2008)).

10 Plaintiff has not shown that the Magistrate Judge's
11 denial of his motion to obtain the referenced witnesses'
12 attendance was clearly erroneous or contrary to law. Therefore,
13 Plaintiff's request for reconsideration, (ECF No. 291), is
14 DENIED.

15 Dated: June 27, 2015

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19 GARIAND E. BURRELL, JR.
20 Senior United States District Judge
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