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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARCARIO BELEN DAGDAGAN,)	
)	2:08-cv-00922-GEB-KJN
Plaintiff,)	
)	
v.)	<u>ORDER</u> *
)	
CITY OF VALLEJO, VALLEJO OFFICER)	
JOHN BOYD (ID#589), VALLEJO)	
OFFICER J. WENTZ (ID#524), and)	
JAMES MELVILLE,)	
)	
Defendants.)	
_____)	

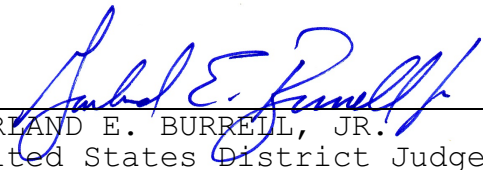
Plaintiff requests reconsideration of the Magistrate Judge's October 11, 2011 Order, which denied Plaintiff's motion for sanctions without prejudice, holding "it would be more appropriate for plaintiff's motion to be heard by the trial judge . . . as a motion in limine because the motion concerns the exclusion of testimony at trial." (ECF No. 95 3:5-7.) Defendants do not oppose the motion.

Pursuant to E.D. Cal. R. 303(f) and Federal Rule of Civil Procedure 72(a), a magistrate judge's orders shall be upheld unless "clearly erroneous" or "contrary to law." Upon review of the entire file, the Court finds that Plaintiff has not shown the Magistrate

* This matter is deemed suitable for decision without oral argument. E.D. Cal. R. 230(g).

1 Judge's ruling was clearly erroneous or contrary to law. Therefore,
2 Plaintiff's request for reconsideration is DENIED.

3 Dated: November 3, 2011

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7 GARLAND E. BURRELL, JR.
8 United States District Judge
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