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

JAMES EVANS,

Plaintiff,

No. 2:09-cv-0292 WBS JFM (PC)

vs.

FELKER, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. On May 17, 2010, plaintiff filed a motion styled as a motion to alter or amend judgment pursuant to Fed. R. Civ. P. 59(e), by which he seeks reconsideration of this court’s May 5, 2010 order dismissing plaintiff’s claim that his constitutional rights were violated by his transfer to High Desert State Prison and his claims against defendant Felker and McDonald. Plaintiff has not shown any grounds that warrant relief from the court’s May 5, 2010 order. Accordingly, plaintiff’s May 17, 2010 motion will be denied.


On May 21, 2010, plaintiff filed a request for reconsideration of the magistrate judge’s order filed May 12, 2010, denying plaintiff’s April 12, 2010, motion for leave to amend.

1 Pursuant to E.D. Local Rule 303(f), a magistrate judge's orders shall be upheld unless "clearly  
2 erroneous or contrary to law." Upon review of the entire file, the court finds that it does not  
3 appear that the magistrate judge's ruling was clearly erroneous or contrary to law. Accordingly,  
4 the magistrate judge's order will be affirmed.

5 In accordance with the above, IT IS HEREBY ORDERED that:

- 6 1. Plaintiff's May 17, 2010 motion to alter or amend judgment is denied;
- 7 2. Upon reconsideration, the order of the magistrate judge filed May 12, 2010, is  
8 affirmed; and
- 9 3. Petitioner's motion to bar the Attorney General from appearing in this action,  
10 filed May 28, 2010, and his motion for appointment of counsel, filed June 3, 2010, are denied.

11 DATED: June 23, 2010



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12 WILLIAM B. SHUBB  
13 UNITED STATES DISTRICT JUDGE  
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