

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

10 MILTON CHARLES VAN NOLAND
and JOY GARNER,

Plaintiffs, No. CIV S-09-2035 MCE DAD PS

V.

13 ERIC S. PELLETIER and "GRRR!
14 LIMITED," ORDER

Defendants.

17 On April 12, 2010, the plaintiffs, who are proceeding pro se in this action, filed
18 two motions but did not notice either for hearing. The district judge assigned to this case issued
19 a minute order directing plaintiffs to notice their motions in compliance with Local Rule 230(a).
20 Plaintiffs have re-filed one of their motions but have filed the same motion twice, setting it for
21 hearing before the assigned district judge on May 13, 2010, and also setting it for hearing before
22 the assigned magistrate judge on May 14, 2010.

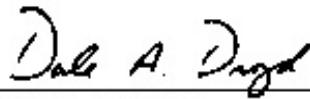
23 Local Rule 230(a) states that each judge or magistrate judge maintains an
24 individual motion calendar and that information as to times and dates may be obtained from the
25 Clerk of the Court or the courtroom deputy clerk for the assigned judge or magistrate judge.
26 "Except as otherwise provided in these Rules or as ordered or allowed by the Court, all motions

1 shall be noticed on the motion calendar of the assigned Judge or Magistrate Judge.” Local Rule
2 230(b) (emphasis added).

3 By the two motions filed on April 14, 2010, plaintiffs appear to seek “correction”
4 of the district judge’s order filed April 6, 2010. Correction or reconsideration of a district
5 judge’s order is not within the scope of a magistrate judge’s authority. Accordingly, the motion
6 noticed for hearing before the undersigned (Doc. No. 96) is denied as duplicative and is dropped
7 from the undersigned’s May 14, 2010 calendar in Courtroom 27.

8 IT IS SO ORDERED.

9 DATED: April 20, 2010.

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12 DALE A. DROZD
13 UNITED STATES MAGISTRATE JUDGE

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