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

JAMES L. DAVIS,

Plaintiff,

No. 2:10-cv-2972 MCE CKD

v.

SCHROEDER, et al.,

Defendants.

ORDER

_____ /

On August 30, 2012, Plaintiff filed a “motion to intervene” requesting that the District Court reconsider the Magistrate Judge’s July 30, 2012, order granting Plaintiff thirty days to file a Fourth Amended Complaint “not longer than 20 pages.” (ECF No. 25.)


Plaintiff also requests that the District Court “disqualify Magistrate CKD from this case [and] appoint a new magistrate[.]” (ECF No. 25 at 4.) The Court construes this as a request for reconsideration of the Magistrate Judge’s May 22, 2012, order denying Plaintiff’s May 14, 2012, motion for disqualification. (ECF No. 20.)

Pursuant to Local Rule 303(f), 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 the Magistrate Judge’s July 30, 2012, ruling is not clearly erroneous or contrary to law. Nor is the Magistrate Judge’s May 22, 2012, ruling clearly erroneous or contrary to law.

1 Therefore, IT IS HEREBY ORDERED that:

- 2 1. Upon reconsideration, the order of the Magistrate Judge filed July 30, 2012, is
3 AFFIRMED; and
4 2. Upon reconsideration, the order of the Magistrate Judge filed May 22, 2012, is
5 AFFIRMED.

6 Dated: December 4, 2012

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9 MORRISON C. ENGLAND, JR.
10 UNITED STATES DISTRICT JUDGE
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