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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PETER GRAVES, No. 2:10-cv-03156-MCE-KJN
Plaintiff,
v. ORDER
HILARY RANDOM CLINTON and
JAMES STEINBERG,
Defendants.

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Plaintiff Peter Graves ("Plaintiff"), who is proceeding pro se, brings this civil action. Presently before the Court are Plaintiff's two Motions for Reconsideration (ECF Nos. 36 and 37) seeking reconsideration of the Magistrate Judge's April 6 and April 8 Orders (ECF Nos. 33 and 35) denying multiple of Plaintiff's Motions to Add New Discovery Exhibits (ECF Nos. 28-32, 34).¹

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¹ One of Plaintiff's current Motions for Reconsideration (ECF No. 36) is addressed to both the Magistrate Judge and this Court. This Order disposes of both Motions to the extent they are directed at this Court.

1 In reviewing a magistrate judge's determination, the
2 assigned judge shall apply the "clearly erroneous or contrary to
3 law" standard of review set forth in Eastern District of
4 California Local Rule 303(f), as specifically authorized by
5 Federal Rule of Civil Procedure 72(a) and 28 U.S.C.
6 § 636(b)(1)(A).² Under this standard, the Court must accept the
7 magistrate judge's decision unless it has a "definite and firm
8 conviction that a mistake has been committed." Concrete Pipe &
9 Products of Cal., Inc. v. Constr. Laborers Pension Trust for So.
10 Cal., 508 U.S. 602, 622 (1993). If the Court believes the
11 conclusions reached by the magistrate judge were at least
12 plausible, after considering the record in its entirety, the
13 Court will not reverse even if convinced that it would have
14 weighed the evidence differently. Phoenix Eng. & Supply Inc. v.
15 Universal Elec. Co., Inc., 104 F.3d 1137, 1141 (9th Cir. 1997).
16 Upon review of the entire file, this Court finds that the
17 Magistrate Judge's rulings were neither clearly erroneous nor
18 contrary to law.

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25 ² Federal Rule of Civil Procedure 72(a) directs the
26 district court judge to "modify or set aside any portion of the
27 [magistrate judge's] order found to be clearly erroneous
28 or...contrary to law." Similarly, under 28 U.S.C.
§ 636(b)(1)(A), the district judge may reconsider any pretrial
order "where it has been shown that the magistrate judge's order
is clearly erroneous or contrary to law."

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Plaintiff's Motions for Reconsideration (ECF Nos. 36
3 and 37) are DENIED;

4 2. The Magistrate Judge's April 6 and April 8 Orders (ECF
5 Nos. 33 and 35) are AFFIRMED; and

6 3. No further motions for reconsideration of this Order
7 will be considered.

8 Dated: May 3, 2011

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11 MORRISON C. ENGLAND, JR.
12 UNITED STATES DISTRICT JUDGE
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