

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

GREGORY DOWNS, II,

Petitioner,

No. CIV S-11-0163 GEB KJN (TEMP) P

VS.

DOMINGO URIBE, JR.,

Respondent.

ORDER

On February 7, 2011, petitioner filed a request for reconsideration of the magistrate judge’s January 25, 2011 order denying petitioner’s request under Rule 27 of the Federal Rules of Civil Procedure that the court order certain persons to submit to depositions by petitioner. Petitioner asserts that because he did not consent to his case being heard by a magistrate judge, the magistrate judge did not have the authority to deny the Rule 27 request.

Good cause appearing, IT IS HEREBY ORDERED that:

1. The January 25, 2011 order by the magistrate judge denying petitioner's Rule 27 request that the court order certain persons to submit to depositions is vacated;

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1 2. For the reasons stated in the magistrate judge's January 25, 2011 order,
2 petitioner's Rule 27 request is denied; and
3 3. The Clerk of the Court close this case.

4 Dated: March 10, 2011

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

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