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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMAAL THOMAS,

Plaintiff,

v.

ANTIPOV, et al.,

Defendants.

No. 2:11-cv-1138-MCE-EFB P

ORDER

On November 19, 2013, the Magistrate Judge issued an order, ECF No. 101, denying Plaintiff’s motion to modify the scheduling order. In a motion dated December 9, 2013, Plaintiff requested reconsideration of that Order. ECF No. 102. Local Rule 303(b), states “rulings by Magistrate Judges . . . shall be final if no reconsideration thereof is sought from the Court within fourteen days . . . from the date of service of the ruling on the parties.” Plaintiff’s request for reconsideration of the magistrate judge’s order of November 19, 2013 is therefore untimely.

In an abundance of caution, however, the Court has considered Plaintiff’s motion on the merits. Local Rule 303(f) provides that magistrate judge’s orders shall be upheld unless “clearly erroneous or contrary to law.” Upon review of the entire file, the Court finds that it does not appear that the magistrate judge’s ruling was clearly erroneous or contrary to law. The November 19, 2013 order, ECF No. 101, is therefore, affirmed.

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Accordingly, IT IS HEREBY ORDERED that:

1. The motion for reconsideration, ECF No. 102, is DENIED;
2. The Magistrate Judge's November 19, 2013 Order, ECF No. 101, is AFFIRMED;
3. The Clerk of the Court SHALL TERMINATE docket number 102.

IT IS SO ORDERED.

Dated: February 18, 2014



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MORRISON C. ENGLAND, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT