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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUCIO A. BARROGA,  
Plaintiff,  
v.  
BOARD OF ADMINISTRATION CAL  
PUBLIC EMPLOYEES' RETIREMENT  
SYSTEM,  
Defendant.

No. 2:12-cv-01179-MCE-KJN (PS)

ORDER

On July 20, 2017, plaintiff filed a motion for new judgment. (ECF No. 52.) Previously, on December 19, 2012, this case was dismissed with prejudice by District Court Judge Morrison C. England, Jr., on grounds of Eleventh Amendment immunity. (ECF No. 45.) Plaintiff subsequently appealed the decision to the Ninth Circuit Court of Appeals. (ECF No. 47.) On June 18, 2014, a three judge panel of the Ninth Circuit affirmed Judge England's decision. (ECF No. 50.) Final judgement against plaintiff took effect on November 13, 2014. (ECF No. 51.) Thus, there are no grounds for a new judgment in this court. Plaintiff's motion is denied, and this matter will remain closed. Any future motions filed in this court, related to this matter will be summarily dismissed.

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For the foregoing reasons, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for new judgment (ECF No. 52) is DENIED.

IT IS SO ORDERED.

Dated: September 26, 2017

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

14/ps.12-1179.barroga.denial motion for new judgment