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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN MARVIN BALLARD,
Plaintiff,
v.
SAMUEL WONG, et al.,
Defendants.

No. 2:12-cv-2226-JAM-CMK

ORDER

Plaintiff, a civil detainee proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff’s motion for reconsideration (Doc. 24).

The court may grant reconsideration of any order under Federal Rules of Civil Procedure 60 based on, among other things: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which, with reasonable diligence, could not have been discovered within ten days of entry of judgment; and (3) fraud, misrepresentation, or misconduct of an opposing party. A motion for reconsideration on any of these grounds must be brought within a reasonable time and no later than one year of entry of the order being challenged. See Fed. R. Civ. P. 60(c)(1).

On May 27, 2015, the court issued an order relating several of plaintiff’s cases filed in this court, and reassigning the mattes to the same judge pursuant to Local Rule 123 (E.D. Cal. 2005). Plaintiff objects to the reassignment on the basis that the undersigned was not authorized to issue such an order and this case does not qualify for reassignment. Plaintiff is mistaken on both

1 counts.

2 Local Rule 123 specifically authorizes “the Judge to whom the action with the lower or
3 lowest number has been assigned [to] determine[] that assignment of the actions to a single Judge
4 is likely to effect a savings of judicial effort” (Local Rule 123(c)). Further, the undersigned
5 determined the actions are related within the meaning of Local Rule 123. Plaintiff’s disagreement
6 with that determination is insufficient to show mistake or fraud as required by Rule 60. Plaintiff
7 fails to provide sufficient grounds for the court to reconsider the determination that relation of
8 plaintiff’s cases was appropriate.

9 Accordingly, IT IS HEREBY ORDERED that Plaintiff’s motion for
10 reconsideration (Doc. 24) is denied.

11 DATED: March 31, 2016

12 /s/ John A. Mendez

13 UNITED STATES DISTRICT COURT JUDGE
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