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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL FITZPATRICK,  
  
Plaintiff,  
  
v.  
  
BRIAN FITZPATRICK, ET AL.,  
  
Defendants.


No. 2:12-cv-2938 GEB AC PS

ORDER

Pending before the court is plaintiff’s motion for consent of magistrate judge re notice of lis pendens. ECF No. 5. Essentially, plaintiff seeks an order permitting him to file a notice of lis pendens in the El Dorado County Clerk’s office as to real property located in that county that “constitutes the source of any future repayment to [him].” Id. Plaintiff represents that the El Dorado County Clerk directed him to obtain the undersigned’s consent, but fails to provide any legal authority for the necessity or propriety of such an order, or this court’s authority in the matter. Lacking a legal basis for the motion, the undersigned will dismiss it without prejudice.

Accordingly, IT IS HEREBY ORDERED that plaintiff’s motion for consent (ECF No. 5) is denied without prejudice.

DATED: August 21, 2013

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE

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