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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LONNIE WILLIAMS,
Plaintiff,
v.
HAMAD, et al.,
Defendants.

No. 2: 14-cv-0044 TLN KJN P

ORDER

Plaintiff, a state prisoner proceeding without counsel, has filed this civil rights action pursuant to 42 U.S.C. § 1983. On April 28, 2014, the undersigned denied Plaintiff's application to proceed in forma pauperis, pursuant to 28 U.S.C. § 1915(g), and directed Plaintiff to pay the filing fee within 28 days. (ECF No. 15.) Plaintiff appealed the April 28, 2014, order to the Ninth Circuit Court of Appeals. (ECF No. 16.) On June 13, 2014, the Ninth Circuit dismissed Plaintiff's appeal. (ECF No. 18.) On June 19, 2014, Magistrate Judge Newman ordered Plaintiff to pay the filing fee within thirty days. (ECF No. 19.)

Pending before the Court is Plaintiff's July 16, 2014 motion for reconsideration of the June 19, 2014, order.¹ (ECF No. 20.) Pursuant to E.D. Local Rule 303(f), a magistrate judge's

¹ Plaintiff's proof of service for the motion for reconsideration states that he mailed the motion for reconsideration on June 25, 2014. (ECF No. 20 at 4.) Pursuant to the mailbox rule, Plaintiff's motion for reconsideration is timely.

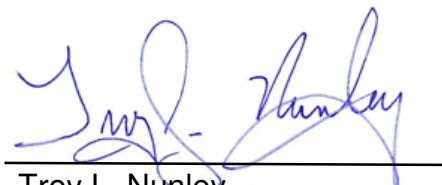
1 orders shall be upheld unless “clearly erroneous or contrary to law.” Id. Upon review of the
2 entire file, the Court finds that it does not appear that the magistrate judge’s ruling was clearly
3 erroneous or contrary to law. Accordingly, the June 19, 2014, order is affirmed.

4 In the motion for reconsideration, Plaintiff also requests an evidentiary hearing to address
5 whether he meets the imminent danger exception to 28 U.S.C. § 1915(g). Plaintiff also requests
6 an extension of thirty days to file an appeal of the June 19, 2014, order. Plaintiff is attempting to
7 relitigate issues that have been addressed and/or decided by this Court and the Ninth Circuit. (See
8 ECF Nos. 13, 15, 18.) For this reason, Plaintiff’s motions for evidentiary hearing and for an
9 extension of time to file an appeal of the June 19, 2014, order are denied.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. Plaintiff’s motion for reconsideration, motion for an evidentiary hearing and motion
12 for an extension of time to file an appeal (ECF No. 20) are denied; and
- 13 2. Plaintiff is granted twenty-one days to pay the filing fee; failure to pay the filing fee
14 within that time will result in dismissal of this action.

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16 Dated: August 14, 2014

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21 Troy L. Nunley
22 United States District Judge
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