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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JONATHAN GRIGSBY,  
Plaintiff,  
v.  
M. MUNGUIA, et al.,  
Defendants.

No. 2:14-cv-0789 GEB AC P

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action filed pursuant to 42 U.S.C. § 1983. On March 9, 2016, the assigned magistrate judge issued findings and recommendations and an order that granted, in pertinent part, plaintiff’s motion to compel production of CDCR’s excessive force report related to the incident that forms the basis of plaintiff’s complaint. ECF No. 66. On March 25, 2016, defendants filed a motion for reconsideration of this portion of the March 9, 2016 order. ECF No. 68. Defendants request that the district judge reject the ruling or, in the alternative, that defendants be granted the opportunity to file objections. Id. at 2.

Pursuant to Local Rule 303, a district judge may reconsider any matter determined in an action by the assigned magistrate judge. Local Rule 303(g). An order of the magistrate judge shall be upheld unless “clearly erroneous or contrary to law.” Local Rule 303(f). While this court finds that the magistrate judge’s ruling was neither clearly erroneous nor contrary to law, it does appear that further briefing and an opportunity to review the subject report in camera would

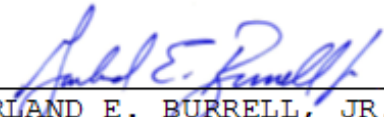
1 be helpful in addressing the concerns of all parties.

2 Accordingly, defendants' motion for reconsideration (ECF No. 68) is GRANTED IN  
3 PART. Within twenty-one (21) days after the filing date of this order, defendants shall: (1)  
4 submit the excessive force report to the magistrate judge for in camera review, and (2) file and  
5 serve their objections to disclosing the report to plaintiff. Plaintiff may file and serve a reply  
6 within fourteen (14) days after service of defendants' objections. Upon review of the subject  
7 report and the parties' further briefing, the magistrate judge should decide whether a new order  
8 issues addressing de novo plaintiff's motion to compel production of the report. In all other  
9 respects, defendants' motion for reconsideration is denied.

10 IT IS SO ORDERED.

11 Dated: April 14, 2016

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GARIAND E. BURRELL, JR.  
Senior United States District Judge