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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

HERNAN OROZCO,

Plaintiff,

v.

EDMUND G. BROWN, JR.,

Defendant.

No. 2:14-cv-1404-MCE-CKD P

ORDER

Plaintiff timely filed a Motion for Reconsideration, ECF No. 8, of the magistrate judge’s August 27, 2014, Order converting this case to a 42 U.S.C. § 1983 civil rights action. Pursuant to E.D. Local Rule 303(f), a magistrate judge’s orders shall be upheld unless “clearly erroneous or contrary to law.” Id. Upon review of the entire file, the Court finds that it does not appear that the magistrate judge’s ruling was clearly erroneous or contrary to law.

Insofar as Plaintiff seeks to argue that he has standing to enforce any order issued in Plata v. Brown, No. 01-cv-1351-TEH (N.D. Cal.) as an intended third-party beneficiary under Rule 71 of the Federal Rules of Civil Procedure, see U.S. v. FMC Corp., 531 F.3d 813, 819-820 (9th Cir. 2008), he may assert that argument in Plata, pending in the Northern District of California, but not in this action.

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Accordingly:

1. Plaintiff's Motion for Reconsideration, ECF No. 8, is DENIED; and
2. The magistrate judge's August 27, 2014, Order, ECF No. 7, is AFFIRMED.

IT IS SO ORDERED.

Dated: October 29, 2014

  
MORRISON C. ENGLAND, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT