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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAMUEL WINDHAM, JR.,
Plaintiff,
v.
CALIFORNIA MEDICAL FACILITY, et
al.,
Defendants.

No. 2:15-cv-1058 MCE CKD P

ORDER

On March 31, 2016, plaintiff filed a motion for reconsideration of the magistrate judge’s order filed March 11, 2016, denying plaintiff’s motion for summary judgment without prejudice to plaintiff filing a motion for summary judgment that complies with the requirements of Rule 56 of the Federal Rules of Civil Procedure. Pursuant to Local Rule 303(f), a magistrate judge’s orders shall be upheld unless “clearly erroneous or contrary to law.” Upon review of the entire file, the court finds that it does not appear that the magistrate judge’s ruling is clearly erroneous or contrary to law. The magistrate ordered Plaintiff to file a summary judgment that complies with the requirements of Rule 56 of the Federal Rules of Civil Procedure, and while Plaintiff appears to attempt to correct that inadequacy through the content of his motion for reconsideration, he must file a motion for summary judgment that itself complies with Rule 56.

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Therefore, IT IS HEREBY ORDERED that, upon reconsideration, the order of the magistrate judge filed March 11, 2016, is affirmed.

Dated: April 20, 2016



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