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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN FRATUS,  
Plaintiff,  
v.  
SGT. KLEIN, et al.,  
Defendants.

No. 2:17-cv-0535 KJM KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983, and has moved for disqualification of the undersigned. Pursuant to 28 U.S.C. § 455, a magistrate judge shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned or where he has a personal bias or prejudice concerning a party. In plaintiff's motion for disqualification, he speculates that the undersigned is biased against plaintiff. The court does not find disqualification is appropriate in this matter.

Accordingly, IT IS HEREBY ORDERED that plaintiff's March 31, 2017 motion for disqualification (ECF No. 6) is denied.

Dated: April 18, 2017

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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