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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RODNEY JEROME WOMACK,  
Plaintiff,  
v.  
DAVID BAUGHMAN, et al.,  
Defendants.

No. 2:17-cv-02708-TLN-KJN

ORDER

On April 18, 2019, the magistrate judge issued an order requiring Plaintiff to submit, within twenty-one days from the date of that order, the appropriate filing fee. (ECF No. 11.) On May 9, 2019, Plaintiff signed a request for reconsideration of that order.<sup>1</sup> (ECF No. 12.) On May 13, 2019, Plaintiff signed an amendment to his motion for reconsideration. (ECF No. 13.)

Local Rule 303(b) states “rulings by Magistrate Judges . . . shall be final if no reconsideration thereof is sought from the Court within fourteen days . . . from the date of service of the ruling on the parties.” Id. Therefore, Plaintiff’s requests for reconsideration of the magistrate judge’s order of April 18, 2019, are untimely.

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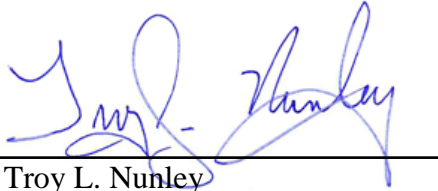
<sup>1</sup> Under the “mailbox rule,” when a pro se prisoner gives prison authorities a pleading to mail to court, the Court deems the pleading constructively filed on the date it was signed. *Roberts v. Marshall*, 627 F.3d 768, 770 n.1 (9th Cir. 2010) (citation omitted).

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's requests for reconsideration (ECF Nos. 12, 13) are denied; and
2. Plaintiff shall pay the appropriate filing fee within 21 days from the date of this order.

Date: August 26, 2019



Troy L. Nunley  
United States District Judge