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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN BOUTTE,)	
)	
Plaintiff(s),)	No. C08-2641 BZ
)	
v.)	ORDER DENYING MOTION
)	TO DISQUALIFY
BYRON J. BAHR,)	
)	
Defendant(s).)	
)	
_____)	

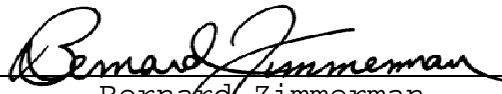
On December 3, 2008, plaintiff John Boutte, proceeding pro se, filed a motion to disqualify me as well as every federal judge in this District, every federal judge "on The Mafia Committee - I mean The Executive Committee," every federal judge in the Ninth Circuit, and certain other individuals.¹ Plaintiff cites the disqualification statute, 28 U.S.C. Section 455, but does not specify what are the grounds for disqualification and provides no factual support for his motion. He does cite to two cases, Liteky v. U.S., 510 U.S. 540, 114 S.Ct. 1147, 1162 (1994) and Taylor v.

¹ Plaintiff consented to my jurisdiction in his First Amended Complaint.

1 O'Grady, 888 F.2d 1189 (7th Cir. 1989), in which appellate
2 courts rejected disqualification challenges to judges who
3 allegedly had made intemperate remarks suggesting that they
4 were prejudiced against a party. If plaintiff believes any
5 such remarks were made by me or any judge whom he challenges,
6 he has failed to set forth those remarks. In fact, I don't
7 recall ever having any hearing in this case or in Boutte v.
8 Experian, Case No. 07-5271.

9 **IT IS THEREFORE ORDERED** that plaintiff's motion to
10 disqualify me and the other judges of this District and
11 Circuit is **DENIED**.

12 Dated: December 9, 2008

13 
14 Bernard Zimmerman
United States Magistrate Judge

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