

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

CAESAR WHITE, JR.,

VS

Case No. 3:09cv574/LAC/EMT

SUSAN NELMS, et al.,

REFERRAL AND ORDER

Referred to Magistrate Judge Timothy on February 8, 2010
Type of Motion/Pleading: “Motion for Recusal or Judicial Disqualify [sic] of U.S. District Judges Lacey A. Collier and U.S. Magistrate Judge Elizabeth M. Timothy” and request to transfer action “to another judge, division, or U.S. district court system with jurisdiction”

Filed by: Plaintiff on 2/8/10 Document 7
() Stipulated/Consented/Joint Pleading

RESPONSES:

_____ on _____ Doc.# _____
_____ on _____ Doc.# _____

WILLIAM M. McCOOL, CLERK OF COURT

/s/ Teresa Milstead
Deputy Clerk: Teresa Milstead

ORDER

Upon consideration of the foregoing, it is **ORDERED** this 12th day of February, 2010, that:

The requested relief is **DENIED**. Plaintiff has failed to allege circumstances under which a reasonable individual could conclude that the impartiality of the undersigned or District Judge Collier might reasonably be questioned or that either of the assigned judges has a personal bias or prejudice concerning Plaintiff.

/s/ Elizabeth M. Timothy
ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE