

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

REC MARINE LOGISTICS, LLC

CIVIL ACTION

VERSUS

No. 19-11149

DEQUINCY R. RICHARD, ET AL.

SECTION I

ORDER AND REASONS

Before the Court is REC Marine Logistics LLC *et al.*'s ("REC") "Motion Under FRCP Rule 72 to Object, Appeal and Reverse the Incorrect Ruling on Service Issued by the Magistrate 23 June 2020".¹ The motion seeks review of the United States Magistrate Judge's order² denying an earlier motion for reconsideration.³

A magistrate judge's order on a non-dispositive motion such as this may only be set aside if it "is clearly erroneous or is contrary to law." *Moore v. Ford Motor Co.*, 755 F.3d 802, 806 (5th Cir. 2014) (citing Fed. R. Civ. P. 72(a) and 28 U.S.C. § 636(b)(1)(A)). A finding is "clearly erroneous" when the reviewing court is "left with a definite and firm conviction that a mistake has been committed." *In re Mid-S. Towing Co.*, 418 F.3d 526, 534 (5th Cir. 2005).

Based on a review of the record, the Court finds that the Magistrate Judge's order denying reconsideration is not clearly erroneous or contrary to law.

Accordingly,

¹ R. Doc. No. 134.

² R. Doc. No. 123.

³ R. Doc. No. 87.

IT IS ORDERED that the motion is **DENIED**.

New Orleans, Louisiana, August 25, 2020.

A handwritten signature in black ink, appearing to read "Lance Africk", written in a cursive style. The signature is positioned above a horizontal line.

LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE