

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

BRIAN LEWIS

CIVIL ACTION

VERSUS

NO. 12-CV-00747-SDD-RLB

JP MORGAN CHASE BANK

RULING

On July 24, 2013, the above-captioned matter was reassigned from Chief District Court Judge Brian A. Jackson to the undersigned. Having reviewed the record, the Court is prepared to rule on several motions. Plaintiff has filed three separate motions to recuse Chief District Court Judge Brian A. Jackson, Magistrate Judge Richard Bourgeois, and all other Magistrate Judges from handling his case. Subsequently, Plaintiff filed a motion requesting that his recusal motions be dismissed.¹ Accordingly, Plaintiff's three motions seeking recusal shall be DENIED,² and Plaintiff's *Motion to Dismiss the Recusal Motions* shall be GRANTED.³

On May 2, 2013, Plaintiff filed an *Expedited Motion to Request a Master on Case Number 12-747 Under Rule 53*.⁴ "According to Rule 53(b), as a general proposition the reference to a special master is the exception rather than the

¹ According to Plaintiff's motion, "God told [him] to let the Justices stay on case number 12-747."

² Rec. Doc. Nos 9, 13, and 15.

³ Rec. Doc. No. 28.

⁴ Rec. Doc. No. 16.

rule.”⁵ The issues in this case are not so intrinsically complex to require the need for a special master. Therefore, Plaintiff’s motion is DENIED.⁶

Plaintiff’s July 11, 2013, *Expedited Motion for A Pre-trial Hearing or Demand Settlement Hearing to be Set by July 18, 2013* is DENIED.⁷ The Court notes that there has been no scheduling order issued yet in this case; therefore, such a request is premature. Should the matter advance to the trial stage, a pretrial order will be issued that will include a date for both a pretrial conference or hearing and settlement conference. For the same reasons, Plaintiff’s July 29, 2013, *Expedited Motion for a Pre-Trial or Demand Settlement Conference or Status Hearing* is also DENIED.⁸

Plaintiff has requested that the Court consider his objections to the several rulings of the Magistrate Judge in an expedited manner. To the extent that Plaintiff’s motion requests expedited consideration, the motion is GRANTED.⁹ Plaintiff seeks reconsideration of the following Magistrate Judge’s rulings: (1) May 9, 2013, Order striking Plaintiff’s Amended Complaint;¹⁰ (2) June 18, 2013, Order striking Plaintiff’s Amended Complaint;¹¹ and (3) July 17, 2013, Order denying Plaintiff’s motion for leave to file his Amended Complaint and to Proceed In Forma Pauperis for Service of his Amended Complaint.¹² After reviewing the

⁵ *Hiern v. Sarpy*, 161 F.R.D. 332, at 334 (E.D.La. 1995).

⁶ Rec. Doc. No. 16.

⁷ Rec. Doc. No. 38.

⁸ Rec. Doc. No. 45.

⁹ Rec. Doc. No. 44.

¹⁰ Rec. Doc. No. 20.

¹¹ Rec. Doc. No. 30.

¹² Rec. Doc. No. 41.

Magistrate Judge's rulings, the Court affirms the Magistrate Judge's findings. Accordingly, the Court DENIES the Plaintiff's motion to the extent he requests that the Court overrule the aforementioned Magistrate Judge's Rulings.¹³

Accordingly, Plaintiff's *Motion to Dismiss the Recusal Motions* is GRANTED,¹⁴ thereby DENYING his three pending motions to recuse.¹⁵ Plaintiff's *Expedited Motion to Request a Master on Case Number 12-474 Under Rule 53* is DENIED.¹⁶ Plaintiff's two expedited motions for pre-trial hearings or demand settlement hearings are DENIED.¹⁷ Plaintiff's *Motion for Expedited Consideration of His Objections to the Magistrate Judge's Rulings* on May 9, 2013; June 18, 2013; and July 17, 2013 is hereby GRANTED in part and DENIED in Part. Plaintiff's motion is GRANTED as to being considered expeditiously; however, the Court AFFIRMS the aforementioned Magistrate Judge's rulings thereby DENYING Plaintiff's request to overrule them.¹⁸

Furthermore, the Court hereby refers Plaintiff's *Motion for Extension of Time on Request About Subpoena* to the Magistrate Judge.¹⁹

Baton Rouge, Louisiana, this 31ST day of July, 2013.



**SHELLY D. DICK, DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA**

¹³ Rec. Doc. No. 44.

¹⁴ Rec. Doc. No. 28.

¹⁵ Rec. Doc. Nos. 9, 13, and 15.

¹⁶ Rec. Doc. No. 16.

¹⁷ Rec. Doc. Nos. 38 and 45.

¹⁸ Rec. Doc. No. 44.

¹⁹ Rec. Doc. No. 44.