

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHARLES EVANS III,

Plaintiff,

vs.

NEBRASKA BEEF, LTD.,

Defendant.

8:12CV161

ORDER

This matter is before the court on the pro se plaintiff's objections, [Filing No. 65](#) and [Filing No. 66](#), to an order of the magistrate judge, [Filing No. 63](#), granting the defendant's motion to compel and for additional time to complete discovery, [Filing No. 58](#).

On review of a decision of the magistrate judge on a pretrial matter, the district court may set aside any part of the magistrate judge's order that it finds is clearly erroneous or contrary to law. [28 U.S.C. § 636 \(b\)\(1\)\(A\)](#); [Fed. R. Civ. P. 72\(a\)](#); *In re Lane*, 801 F.2d 1040, 1042 (8th Cir. 1986). See also *Bialas v. Greyhound Lines, Inc.*, 59 F.3d 759, 764 (8th Cir. 1995) (noting that "a magistrate is afforded broad discretion in the resolution of nondispositive discovery disputes"). Based on his familiarity with the case, the magistrate judge was within his discretion to order the plaintiff to submit to a deposition and to respond to interrogatories. The plaintiff has not shown that the magistrate judge's findings are clearly erroneous or contrary to law. Accordingly,

IT IS ORDERED that the plaintiff's objections ([Filing No. 66](#) and [Filing No. 67](#)) are overruled.

DATED this 7th day of January, 2014.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge