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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \* \* \*

CHRISTOPHER A. JONES,	)	
	)	
Plaintiff,	)	3:10-cv-00162-LRH-VPC
	)	
v.	)	
	)	<u>ORDER</u>
HOWARD SKOLNIK, et al.,	)	
	)	
Defendants.	)	

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Before the court is Plaintiff Christopher A. Jones' Motion for Reconsideration of this court's Order (#97) of January 12, 2012, pursuant to Fed. R. Civ. P. 59(e).

In that Order, the court sustained Defendants' Objection (#69) to the Magistrate Judge's Report and Recommendation (#67) entered on October 20, 2011, and referred the matter to the Magistrate Judge for reconsideration of Defendant's Motion to Dismiss (#39) on the merits. Furthermore, the court denied as moot Defendants' Motion to Strike Plaintiff's Oppositions to Defendants' Objections (#81), Defendants' Motion to Strike Unauthorized Portions of Plaintiff's Objections (#83), and Plaintiff's Objections (#86) to this Court's Order denying Plaintiff's request for an extension of time to file objections, which the court construed as a motion for reconsideration.

Plaintiff's present motion for reconsideration is not based on any asserted factual or legal error in the court's Order remanding Defendant's Motion to Dismiss to the Magistrate Judge for consideration on the merits. Instead, Plaintiff asserts that it is a foregone conclusion that the Magistrate

1 Judge will grant Defendant's Motion to Dismiss, that such a ruling would be erroneous, and thus the  
2 court should consider the matter on the merits without remanding to the Magistrate Judge.

3 The court rejects Plaintiff's attempt to preempt the Magistrate Judge's consideration of  
4 Defendant's motion on the merits. Until the Magistrate Judge issues a report and recommendation  
5 addressing the merits of the pending motion, Plaintiff's objections are premature and will not be  
6 considered.

7 IT IS THEREFORE ORDERED that Plaintiff's Motion for Reconsideration (#104) is DENIED.

8 IT IS SO ORDERED.

9 DATED this 9th day of February, 2012.



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13 LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE

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