

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JASON KOKINDA,)	
Plaintiff,)	Civil Action No. 17-cv-217
v.)	United States District Judge
)	Mark R. Hornak
PENNSYLVANIA DOC, et al.,)	United States Magistrate Judge
Defendants.)	Cynthia Reed Eddy
)	

**MEMORANDUM ORDER DENYING SECOND MOTION
FOR RECUSAL & MOTION FOR RECONSIDERATION**

Cynthia Reed Eddy, United States Magistrate Judge.

Pending before the Court is *pro se* Plaintiff Jason Kokinda's second motion for recusal against the undersigned. (ECF No. 23). He seeks to have the undersigned recuse not only from this case, but also from all of his other civil actions that are currently pending in this Court.¹ The undersigned has reviewed and considered the motion and its supporting brief (ECF No. 24), and concludes that his position is without merit. In this regard, the explanation provided by the undersigned on April 5, 2017 in the Memorandum Order (ECF No. 18) that denied Plaintiff's first motion for recusal (ECF No. 16) is sufficient to dispose of his substantially similar arguments advanced in this second motion for recusal. Accordingly, the undersigned hereby incorporates that Memorandum Order as if it is fully set forth herein, and denies Plaintiff's second motion for recusal.

Additionally, Plaintiff's motion for reconsideration of the April 5, 2017 Memorandum

¹ Those other actions are 2:16-cv-5; 2:16-cv-1303; 2:16-cv-1457; 2:16-cv-1580. He has also just filed a motion for recusal in the action at 2:16-cv-1457 in responding to the Defendants' motions to dismiss.

Order (ECF No. 19) is denied because it fails to identify (1) an intervening change in controlling law, (2) the emergence of new evidence not previously available, or (3) the need to correct a clear error of law or to prevent manifest injustice. *See Max's Seafood Café ex rel. Lou-Ann, Inc. v. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999).

AND NOW, this 17th day of April, 2017, having considered Plaintiff's second motion for recusal (ECF No. 23) and the brief in support thereof (ECF No. 24), as well as Plaintiff's motion for reconsideration of the undersigned's April 5, 2017 Memorandum Order (ECF No. 19), it is hereby **ORDERED** that both motions are **DENIED**.

By the Court:

s/ Cynthia Reed Eddy
Cynthia Reed Eddy
United States Magistrate Judge

cc: all registered users of CM-ECF