

**FILED**

**AUG 17 2004**

**CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**DEPUTY CLERK**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM ROUSER,

Plaintiff,

No. CIV S-93-0767 LKK GGH P

vs.

THEO WHITE, et al.,

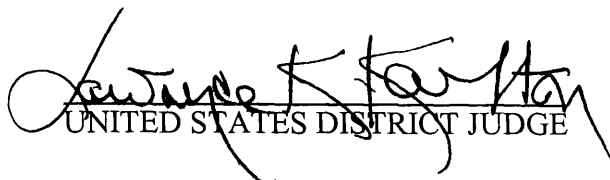
Defendants.

ORDER

On August 13, 2004, defendants filed a request for reconsideration of the magistrate judge's order filed August 4, 2004, denying their motion to vacate the evidentiary hearing set for August 24, 2004. Pursuant to E.D. Local Rule 72-303(f), a magistrate judge's orders shall be upheld unless "clearly erroneous or contrary to law." Upon review of the entire file, the court finds that it does not appear that the magistrate judge's ruling was clearly erroneous or contrary to law.

Therefore, IT IS HEREBY ORDERED that, upon reconsideration, the order of the magistrate judge filed August 4, 2004, is affirmed.

DATED: 8/17/04.

  
UNITED STATES DISTRICT JUDGE

mdk

United States District Court  
for the  
Eastern District of California  
August 17, 2004

\* \* CERTIFICATE OF SERVICE \* \*

2:93-cv-00767

Rouser

v.

White

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on August 17, 2004, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

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BY:   
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