

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 FOR THE EASTERN DISTRICT OF CALIFORNIA
8

9 SYDNEY BROOKE ROBERTS, et al.,

No. 2:22-cv-01699-DJC-AC

10 Plaintiffs,

11 v.

ORDER

12 SACRAMENTO HOUSING &
13 REDVELOPMENT AGENCY,

14 Defendants.

15 Plaintiff has filed "Objections" to the Court's August 14, 2024 Order adopting
16 the Magistrate Judge's Finding and Recommendations, terminating minor Plaintiffs
17 AIMS and TAYS and dismissing Defendant Tyler Thao without prejudice for failure of
18 service. Objections to court orders are not permitted under the Federal Rules of Civil
19 Procedure but the Court construes Plaintiff's filing as a Motion for Reconsideration of
20 the Court's Order.¹ Plaintiff has not shown any grounds for reconsideration of this
21 Court's Order dismissing the action without prejudice. See Fed. R. Civ. P. 60(b).

22 ///

23 ///

24 ///

25 ///

26 _____
27 ¹ Plaintiff has subsequently also filed a notice of appeal regarding that order. A notice of appeal does
28 not divest the district court of jurisdiction if, at the time it was filed, "there was a pending motion for
reconsideration." *United Nat'l Ins. Co. v. R&D Latex Corp.*, 242 F.3d 1102, 1109 (9th Cir. 2001) (citing
Fed. R. App. P. 4(a)(4)(B)(i)).

1 IT IS HEREBY ORDERED that Plaintiff's Objection to Order Dated August 14,
2 2024 (ECF No. 65) is DENIED. This matter is referred back to the Magistrate Judge for
3 all further pretrial proceedings.

4
5 IT IS SO ORDERED.

6 Dated: **September 29, 2024**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE