

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MEI WONG, DANA HINDMAN-ALLEN,

No. 3:22-cv-01714-SB

Plaintiffs,

ORDER

v.

SHEMIA FAGAN, DEBORAH SCROGGIN,
ALMA WHALEN, BOB ROBERTS, SHERRY
HALL, REBEKAH DOLL, CLACKAMAS
COUNTY CLERK'S OFFICE, and THE OFFICE
OF THE SECRETARY OF THE STATE OF
OREGON,

Defendants.

HERNÁNDEZ, District Judge,

On April 5, 2023, Magistrate Judge Beckerman issued a non-dispositive order striking Plaintiffs' additional briefing on Defendants' Motion to Dismiss. ECF 22. On April 11, 2023, Plaintiffs filed objections to the Order. ECF 23. The matter is now before the Court pursuant to

Federal Rule of Civil Procedure 72(a).

In accordance with Rule 72(a), “[w]hen a pretrial matter not dispositive of a party’s claim or defense is referred to a magistrate judge to hear and decide, the magistrate judge must promptly conduct the required proceedings and, when appropriate, issue a written order stating the decision.” Fed. R. Civ. P. 72(a). The standard of review for an order with objections is “clearly erroneous” or “contrary to law.” 28 U.S.C. § 636(b)(1)(A) (applying the “clearly erroneous or contrary to law” standard of review for non-dispositive motions). If a ruling on a motion is not determinative of “a party’s claim or defense,” it is not dispositive and, therefore, is not subject to *de novo* review as are proposed findings and recommendations for dispositive motions under 28 U.S.C. § 636(b)(1)(B).

The Court has carefully considered Plaintiffs’ objections. Judge Beckerman’s order is not clearly erroneous or contrary to law. The Court therefore concludes that there is no basis to modify Magistrate Judge Beckerman’s order.

CONCLUSION

The Court AFFIRMS Magistrate Judge Beckerman’s Order [22].

IT IS SO ORDERED.

DATED: April 12, 2023 .



MARCO A. HERNÁNDEZ
United States District Judge