

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARC J. RANDAZZA, an individual,)
 JENNIFER RANDAZZA, an individual, and)
 NATALIA RANDAZZA, a minor,)

Case No.: 2:12-cv-02040-GMN-PAL

Plaintiff,)

ORDER

vs.)

(ECF Nos. 44 and 81)

CRYSTAL COX, an individual, and ELIOT)
 BERNSTEIN, an individual,)

Defendants.)

Pending before the Court is the Motion for Recusal of District Judge Gloria Navarro (ECF No. 44) and the Motion to Disqualify Judge Gloria M. Navarro (ECF No. 81) both filed by Defendant Crystal Cox (“Defendant”). Plaintiffs Marc J. Randazza, Jennifer Randazza, and Natalia Randazza (collectively, “Plaintiffs”) filed a Response (ECF No. 49) and Defendant filed a Reply (ECF No. 52).

I. DISCUSSION

This is not Defendant’s first request for recusal. In fact, Defendant previously filed a motion styled as a Motion Requesting the Recusal, Removal of District Judge. (ECF No. 20.) The Court denied this prior motion at the Preliminary Injunction Hearing on January 7, 2013, at which Defendant failed to appear. (*See* ECF No. 35.) Accordingly, these motions represent the second and third requests for recusal. Defendant filed both of these motions subsequent to the Court’s January 7, 2013, ruling. (*See id.*) For the reasons stated below, Defendant’s Motions are both **DENIED**.

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A. Defendant's Motion for Recusal of District Judge Gloria Navarro (ECF No. 44)

Rule 7-2(d) of the Local Rules of Practice for the United States District Court for the District of Nevada provides that “[t]he failure of a moving party to file points and authorities in support of the motion shall constitute a consent to the denial of the motion.” LR 7-2(d). Defendant has failed to comply with this rule. Specifically, Defendant’s motion lacks any legal authority to serve as the basis for the requested relief. Accordingly, Defendant’s motion (ECF No. 44) is **DENIED**.

B. Defendant's Motion to Disqualify Judge Gloria M. Navarro (ECF No. 81)

Defendant includes slightly more legal support for her subsequently filed Motion to Disqualify. (*See* Mot. at 3-7, ECF No. 81.) Specifically, Defendant argues that disqualification is required pursuant to 28 U.S.C. § 455. (*Id.*) However, after quoting the statute at length, Defendant fails to provide facts from which “a reasonable person with knowledge of the facts would conclude that the judge’s impartiality might reasonably be questioned.” Merely entering a ruling in favor of a particular party is insufficient evidence of bias to require recusal by a judge. Therefore, having read and considered the briefing on this motion, the Court **DENIES** Defendant’s Motion to Disqualify Judge Gloria M. Navarro.

II. CONCLUSION

IT IS HEREBY ORDERED that Defendant's Motion for Recusal of District Judge Gloria Navarro (ECF No. 44) and the Motion to Disqualify Judge Gloria M. Navarro (ECF No. 81) are **DENIED**.

DATED this 21st day of February, 2013.

Gloria M. Navarro
United States District Judge