

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAR 20 2015

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JAMES EDWARD BOWELL,

Plaintiff - Appellant,

v.

R. GAMBERG; et al.,

Defendants - Appellees.

No. 13-16835

D.C. No. 2:10-cv-00397-JAM-  
DAD

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
John A. Mendez, District Judge, Presiding

Submitted March 10, 2015\*\*

Before: FARRIS, WARDLAW, and PAEZ, Circuit Judges.

James Edward Bowell, a California state prisoner, appeals pro se from the district court's order denying his motions for reconsideration in his 42 U.S.C. § 1983 action alleging excessive force, failure to protect, and denial of access to courts. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of

---

\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

discretion, *Sch. Dist. No. 1J Multnomah County v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir.1993), and we affirm.

The district court did not abuse its discretion in denying Bowell's motions for reconsideration because Bowell failed to demonstrate any basis for relief. *See id.* at 1262-63 (grounds for reconsideration under Fed. R. Civ. P. 60); *see also Latshaw v. Trainer Wortham & Co.*, 452 F.3d 1097, 1103 (9th Cir. 2006) (Rule 60(b)(6) requirements); *Casey v. Albertson's Inc.*, 362 F.3d 1254, 1260 (9th Cir. 2004) (Rule 60(b)(3) requirements); *Coastal Transfer Co. v. Toyota Motor Sales, U.S.A.*, 833 F.2d 208, 211 (9th Cir. 1987) (Rule 60(b)(2) requirements).

We do not consider Bowell's challenge to the underlying grant of summary judgment and other pre-trial motions because Bowell failed to file a timely notice of appeal or a timely post-judgment tolling motion. *See Fed. R. App. P.* 4(a)(1)(A), (a)(4)(A).

Bowell's requests for appointment of counsel set forth in his briefs are denied.

Bowell's request for publication, filed on January 31, 2014, is denied.

**AFFIRMED.**