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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NICOLE ANGELIQUE IORG,

Plaintiff,

v.

USA,

Defendant.

No. 2:19-cv-01346-JAM-AC

FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this matter pro se, and accordingly this motion was referred to the undersigned pursuant to Local Rule 302(c)(21). The case was dismissed, and judgment was entered against plaintiff on November 14, 2019. ECF Nos. 20, 21. On November 26, 2019, plaintiff filed four documents, none of which appeared to be a motion for relief from judgment pursuant to Fed. R. Civ. P. 60(b). ECF Nos. 22, 23, 24, 25. Plaintiff was advised that any documents filed after the closing date, except for a timely and proper Rule 60(b) motion, will be disregarded and no orders will issue in response to future filings. ECF No. 27. On December 26, 2019, plaintiff filed a motion for relief from judgment pursuant to Rule 60(b). ECF No. 28.

Rule 60(b) provides for reconsideration of a final judgment or any order where one of more of the following is shown: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which, with reasonable diligence, could not have been discovered within twenty-eight days of entry of judgment; (3) fraud, misrepresentation, or misconduct of an opposing party; (4) voiding of the judgment; (5) satisfaction of the judgment; and (6) any other

1 reason justifying relief. Fed. R. Civ. P. 60(b). A motion for reconsideration on any of these
2 grounds must be brought within a reasonable time, and no later than one year, of the entry of the
3 judgment or the order being challenged. Id.

4 Plaintiff has not argued any of the above grounds for relief from judgment. Plaintiff
5 asserts that she is the prevailing party in this lawsuit and asks the court to send her a “prevailing
6 party check in the amount of fourteen billion and six hundred million dollars.” ECF No. 28 at 4.

7 Because plaintiff has not identified any cognizable grounds for relief from judgment, the
8 undersigned recommends that the motion at ECF No. 28 be DENIED.

9 These findings and recommendations are submitted to the United States District Judge
10 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days
11 after being served with these findings and recommendations, any party may file written
12 objections with the court and serve a copy on all parties. Id.; see also Local Rule 304(b). Such a
13 document should be captioned “Objections to Magistrate Judge’s Findings and
14 Recommendations.” Failure to file objections within the specified time may waive the right to
15 appeal the District Court’s order. Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998); Martinez
16 v. Ylst, 951 F.2d 1153, 1156-57 (9th Cir. 1991).

17 DATED: December 30, 2019

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19 ALLISON CLAIRE
20 UNITED STATES MAGISTRATE JUDGE
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