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NOT FOR PUBLICATION

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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Douglas K. Harris,

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No. CV-08-1010-PHX-FJM

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Plaintiff,

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ORDER

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vs.

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American Work Force; ESIS/ACE USA;
Arizona Industrial Commission,

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Defendants.

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We previously dismissed this case for lack of subject matter jurisdiction (doc. 22). We also denied plaintiff’s motion to amend the complaint, concluding that the proposed amendments did not cure the jurisdictional defects and therefore the amendment would be futile. Plaintiff has now filed another proposed amended complaint (doc. 24), essentially repeating the arguments contained in his prior two complaints, and asking us to amend our order to permit the filing of the new complaint. We consider this a motion for reconsideration under LRCiv 7.2(g).

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Plaintiff’s new proposed amended complaint does not cure the jurisdictional defects—the claims remain a *de facto* appeal of a state court judgment. Therefore, once again the amendment would be futile and the motion for reconsideration is denied (doc. 24).

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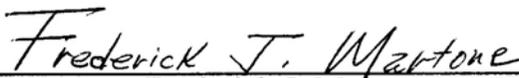
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1 Plaintiff is encouraged to seek the advice of counsel. If he cannot find a lawyer, he
2 may wish to contact the Lawyer Referral Service of the Maricopa County Bar Association
3 at (602) 257-4434. He is also advised that any further challenge to this court's order should
4 be directed to the United States Court of Appeals for the Ninth Circuit in the form of a notice
5 of appeal. See Fed. R. App. P. 3, 4.

6 **IT IS ORDERED DENYING** plaintiff's motion for reconsideration (doc. 24).

7 DATED this 15th day of September, 2008.

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12 Frederick J. Martone
13 United States District Judge
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