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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Torrance Derrick Mincey,)	No. CV 12-0303-PHX-GMS (LOA)
Plaintiff,)	ORDER
vs.)	
Joseph M. Arpaio, et al.,)	
Defendants.)	

Plaintiff Torrance Derrick Mincey, who is confined in the Arizona State Prison Complex, West Unit, in Florence, Arizona, filed a *pro se* civil rights Complaint pursuant to 42 U.S.C. § 1983, which the Court dismissed for failure to state a claim with leave to amend. (Doc. 1, 8.) Plaintiff filed a First Amended Complaint, which the Court also dismissed for failure to state a claim with leave to amend. (Doc. 12, 13.) Plaintiff filed a Second Amended Complaint. (Doc. 14.) In an Order filed on November 13, 2012, the Court dismissed the Second Amended Complaint for failure to state a claim and this action. (Doc. 16.) Plaintiff has filed a motion for reconsideration and an affidavit. (Doc. 18, 19.) Plaintiff’s motion will be denied.

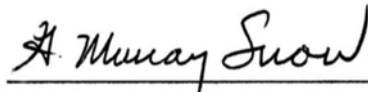
Generally, motions to reconsider are appropriate only if the Court “(1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law.” School Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc., 5 F.3d 1255, 1263 (9th Cir. 1993). A motion for reconsideration should not be used to ask a court “to rethink what the court had already thought through, rightly or wrongly.” Above the Belt, Inc. v. Mel Bohannon

1 Roofing, Inc., 99 F.R.D. 99, 101 (E.D. Va. 1983)). Rather, such arguments should be
2 directed to the court of appeals. Sullivan v. Faras-RLS Group, Ltd., 795 F. Supp. 305, 309
3 (D. Ariz. 1992).

4 In his motion for reconsideration and affidavit, Plaintiff essentially asks the Court to
5 rethink what it has already thought through. As noted above, that is not a basis for
6 reconsideration. Plaintiff has not pointed to newly discovered evidence or shown that the
7 Court clearly erred or an intervening change in controlling law. Accordingly, Plaintiff's
8 motion for reconsideration will be denied.

9 **IT IS ORDERED** that Plaintiff's motion for reconsideration is **denied**. (Doc. 18.)

10 DATED this 13th day of March, 2013.

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13 G. Murray Snow
14 United States District Judge
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