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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Lawrence Wade Miles,	)	No. CV-12-2625-PHX-SRB (LOA)
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
T. Reed, et al.,	)	
	)	
Defendants.	)	
	)	

This matter is before the Court on Plaintiff’s Motion for Reconsideration. (Doc. 43) Plaintiff seeks reconsideration of the Court’s Order, doc. 41, denying his Motion for Appointment of Counsel to Include Temporary Restraining Order and Preliminary Injunction. Plaintiff appears to argue he is entitled to reconsideration because, as a result of delays at the prison where he is housed, Plaintiff’s Reply was filed late. Thus, the Court did not have the benefit of Plaintiff’s Reply, doc. 42, when it issued the order Plaintiff is challenging.

Motions for reconsideration are governed by LRCiv 7.2(g)(1), which provides:

The Court will ordinarily deny a motion for reconsideration of an Order absent a showing of manifest error or a showing of new facts or legal authority that could not have been brought to its attention earlier with reasonable diligence. Any such motion shall point out with specificity the matters that the movant believes were overlooked or misapprehended by the Court, any new matters being brought to the Court’s attention for the first time and the reasons they were not presented earlier, and any specific modifications being sought in the Court’s Order. No motion for reconsideration of an Order may repeat any oral or written argument made by the movant in support of or in opposition to the motion that resulted in the Order. Failure to comply with this subsection may be grounds for denial of the motion.

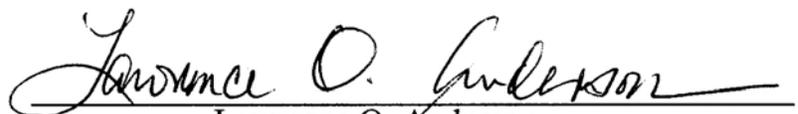
1 Motions for reconsideration should be granted only in rare circumstances. *Defenders*  
2 *of Wildlife v. Browner*, 909 F. Supp. 1342, 1351 (D. Ariz. 1995). “Reconsideration is  
3 appropriate if the district court (1) is presented with newly discovered evidence, (2) committed  
4 clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change  
5 in controlling law.” *School Dist. No. 1J, Multnomah County v. ACandS, Inc.*, 5 F.3d 1255, 1263  
6 (9th Cir. 1993). “The purpose of a motion for reconsideration is to correct manifest errors of  
7 law or fact or to present newly discovered evidence.” *Harsco Corp. v. Zlotnicki*, 779 F.2d 906,  
8 909 (3d Cir.1985), *cert. denied*, 476 U.S. 1171 (1986). Such motions should not be used for the  
9 purpose of asking a court “to rethink what the court had already thought through - rightly or  
10 wrongly.” *Defenders of Wildlife*, 909 F.Supp. at 1351 (quoting *Above the Belt, Inc. v. Mel*  
11 *Bohannon Roofing, Inc.*, 99 F.R.D. 99, 101 (E.D. Va. 1983)).

12 The Court finds Plaintiff has failed to meet the standards for reconsideration here.  
13 Plaintiff has not shown the Court committed clear error or that the initial decision was  
14 manifestly unjust. Nor has Plaintiff shown newly discovered facts or legal authority that could  
15 not have been brought to the Court’s attention earlier with reasonable diligence. Plaintiff is  
16 simply asking the Court to reach a different decision based on consideration of his untimely  
17 Reply. The Court, however, has reviewed Plaintiff’s Reply and finds it would not have affected  
18 the Court’s ruling. Having failed to satisfy the standards for reconsideration, Plaintiff’s motion  
19 will be denied.

20 Accordingly,

21 **IT IS ORDERED** that Plaintiff’s Motion for Reconsideration, doc. 43, is **DENIED**.

22 DATED this 9<sup>th</sup> day of June, 2014.

23  
24   
25 Lawrence O. Anderson  
26 United States Magistrate Judge  
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