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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Gregory Lynn Norwood,
Plaintiff,
vs.
M. Robinson, et al.,
Defendants.

No. CV 08-00172-ROS

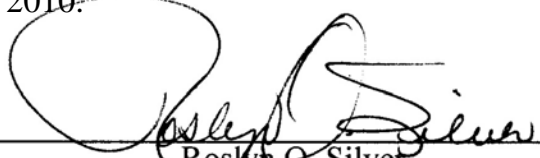
ORDER

Pending before the Court is Plaintiff’s Motion for Reconsideration. Plaintiff argues the Court misunderstood the theory upon which his claim of retaliatory conduct is based. As set forth in the Order dismissing Plaintiff’s case, “[t]here is no mention in [the administrative grievance] materials, including the responses by prison officials, that Plaintiff believed he was being punished for exercising his First Amendment rights.”¹ (Doc. 41). There is no basis to reconsider the dismissal for failure to exhaust.

Accordingly,

IT IS ORDERED the Motion for Reconsideration (Doc. 44) is **DENIED**.

DATED this 25th day of May, 2010.



Roslyn O. Silver
United States District Judge

¹ There is reference to retaliation in connection with the delayed packages claim, but Plaintiff does not seek reconsideration on that claim.