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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ANTHONY KEEL,

Plaintiff,

v.

A. HEDGPETH, et al.,

Defendants.

CASE NO. 1:08-cv-00242-OWW-SKO PC

ORDER DENYING MOTIONS

(Docs. 80, 81, 82)

Plaintiff Anthony Keel (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Before the Court are three motions for reconsideration from Plaintiff. (Docs. #80, 81, 82.)

Federal Rule of Civil Procedure 60 governs the reconsideration or relief from a final judgment, order or proceeding. Under Rule 60(b), the Court may relief a party from a final judgment, order, or proceeding on the grounds of “(1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence . . . (3) fraud . . . or (6) any other reason that justifies relief.” Federal Rule of Civil Procedure 60(b)(1)-(6). Motions to reconsider are committed to the discretion of the trial court. Combs v. Nick Garin Trucking, 825 F.2d 437, 441 (D.C. Cir. 1987); Rodgers v. Watt, 722 F.2d 456, 460 (9th Cir. 1983) (en banc). A motion for reconsideration is an “extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources.” Kona Enterprises v. Estate of Bishop, 229 F.3d 877, 890 (9th Cir. 2000). When requesting reconsideration, Local Rule 230(j) requires a party to show “new or different facts or circumstances  
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1 claimed to exist which did not exist or were not shown upon such prior motion, or what other  
2 grounds exist for the motion.”

3 Plaintiff requests reconsideration of the order dismissing his claims and closing this action.  
4 This action was closed on August 9, 2010 when the Court granted Defendant Chromes’ motion to  
5 dismiss for Plaintiff’s failure to exhaust his administrative remedies prior to filing suit. Defendants  
6 Burrows and Wash were dismissed on February 18, 2010 because Plaintiff failed to effect service  
7 of process on them.

8 Plaintiff’s motions for reconsideration fail to raise any proper grounds for reconsideration.  
9 Plaintiff’s first motion, filed on August 23, 2010, contends that the Court is retaliating against his  
10 exercise of free speech. Plaintiff’s motion is not entirely clear, but Plaintiff also appears to be  
11 alleging that the judges in this district are racist and that somehow “huge profits were made in  
12 cahoots with wall street” by the judges from this action. (SKO PC Order Adopting and  
13 Recommendations (Doc 77) Plaintiff Motion Object. This Ruleing[sic] Is’nt[sic] Moot. Or Dismiss.  
14 I request the Ruleing[sic] Be Overturn. And All Exhibits Be Return to Plaintiff. To Prove a Cover-  
15 up is a Conspiracy 2, ECF No. 80.) The arguments raised in Plaintiff’s other two motions for  
16 reconsideration are also unclear and frivolous.

17 Based on the foregoing, it is HEREBY ORDERED that Plaintiff’s motions for  
18 reconsideration are DENIED.IT IS SO ORDERED.

19 **Dated: February 15, 2011**

**/s/ Oliver W. Wanger**  
**UNITED STATES DISTRICT JUDGE**