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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAQUES FEARENCE,
Plaintiff,
v.
L.L. SCHULTEIS, et al.,
Defendants.

1:08-cv-00615-LJO-GSA (PC)

ORDER DENYING MOTION FOR
RECONSIDERATION

(Document# 60)

I. BACKGROUND

On October 15, 2013, plaintiff filed a motion seeking the appointment of counsel. (Doc. 60.) Plaintiff’s six-page motion is a word-for-word copy of the six-page motion for appointment of counsel filed by Plaintiff eight days earlier on October 7, 2013. (Doc. 58.) The only material difference is that Plaintiff attached ten pages of exhibits to the October 15th motion, copies of letters to Plaintiff from attorneys declining to represent Plaintiff. (Doc. 60 at 7-16.) The court denied Plaintiff’s October 7th motion on October 10, 2013. (Doc. 59.) Based on these facts, the court construes Plaintiff’s October 15th motion as a motion for reconsideration of the court’s order denying the October 7th motion.

II. MOTION FOR RECONSIDERATION

The Court has discretion to reconsider and vacate a prior order. Barber v. Hawaii, 42 F.3d 1185, 1198 (9th Cir. 1994); United States v. Nutri-cology, Inc., 982 F.2d 394, 396 (9th Cir.

1 1992). Motions to reconsider are committed to the discretion of the trial court. Combs v. Nick
2 Garin Trucking, 825 F.2d 437, 441 (D.C. Cir. 1987); Rodgers v. Watt, 722 F.2d 456, 460 (9th
3 Cir. 1983) (en banc). To succeed, a party must set forth facts or law of a strongly convincing
4 nature to induce the court to reverse its prior decision. See Kern-Tulare Water Dist. v. City of
5 Bakersfield, 634 F.Supp. 656, 665 (E.D. Cal. 1986), affirmed in part and reversed in part on other
6 grounds, 828 F.2d 514 (9th Cir. 1987). When filing a motion for reconsideration, Local Rule
7 230(j) requires a party to show the “new or different facts or circumstances claimed to exist which
8 did not exist or were not shown upon such prior motion, or what other grounds exist for the
9 motion.” L.R. 230(j).

10 Plaintiff makes no new arguments in support of his motion. Plaintiff’s evidence that
11 several attorneys declined his requests for representation is unpersuasive. Plaintiff has not set
12 forth facts or law of a strongly convincing nature to induce the court to reverse its prior decision.
13 Therefore, the motion for reconsideration shall be denied.

14 **III. CONCLUSION**

15 Based on the foregoing, IT IS HEREBY ORDERED that Plaintiff’s motion for
16 reconsideration, filed on October 15, 2013, is DENIED.

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20 IT IS SO ORDERED.

21 Dated: October 18, 2013

22 /s/ Gary S. Austin
23 UNITED STATES MAGISTRATE JUDGE