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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSHUA TODD WOOLRIDGE,)
)
Plaintiff,)
)
vs.)
)
CALIFORNIA DEPARTMENT OF)
CORRECTIONS AND)
REHABILITATION, et al.,)
)
Defendants.)
_____)

1:09-cv-01455-OWW-GSA-PC

ORDER DENYING MOTION FOR RECONSIDERATION (Doc. 10.)

ORDER REQUIRING PLAINTIFF TO COMPLY WITH COURT’S ORDER OF FEBRUARY 18, 2010 (Doc. 9.)

I. BACKGROUND

Joshua Todd Woolridge ("plaintiff") is a prisoner proceeding pro se with this civil rights action filed pursuant to 42 U.S.C. § 1983. Plaintiff filed the complaint commencing this action on August 19, 2009. (Doc. 1.) On March 1, 2010, plaintiff filed a motion for reconsideration of the court’s order of February 18, 2010, which revoked plaintiff’s in forma pauperis status and ordered him to pay the \$350.00 filing fee for this action within thirty days. (Doc. 9.) Plaintiff’s motion for reconsideration is now before the court.

II. MOTION FOR RECONSIDERATION

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). The Local Rules provide that when filing a motion for reconsideration, a party show that the

1 “new or different facts or circumstances claimed to exist which did not exist or were not shown upon
2 such prior motion, or what other grounds exist for the motion.” Local Rule 78-230(k)(3).

3 Plaintiff argues that the court should not have revoked his in forma pauperis status, because he
4 is indigent and his case has merit. Plaintiff claims that the court has vindictively and arbitrarily violated
5 his rights to due process and equal protection by requiring him to pay the filing fee before allowing his
6 claims to go forward.

7 **III. DISCUSSION**

8 Plaintiff’s arguments are unavailing. Even assuming, without deciding, that plaintiff is indigent
9 and his case is meritorious, he is prohibited under § 1915(g) from bringing this action in forma pauperis,
10 as discussed in the court’s order of February 18, 2010. Plaintiff has not shown any new or different facts
11 or circumstances, or other grounds upon which the court can reconsider its order.

12 **IV. CONCLUSION**

13 Based on the foregoing, IT IS HEREBY ORDERED that:

- 14 1. Plaintiff’s motion for reconsideration is DENIED; and
- 15 2. Plaintiff is required to comply with the court’s order of February 18, 2010, which
16 requires him to pay the \$350.00 filing fee in full for this action.

17 IT IS SO ORDERED.

18 **Dated: March 8, 2010**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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