

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROBERT P. SMITH, III,

Plaintiff,

v.

CALIFORNIA DEPARTMENT
OF CORRECTIONS
AND REHABILITATION, et al.,

Defendants.

CASE NO. 1:09-cv-02088-OWW-SKO PC

ORDER DENYING PLAINTIFF’S MOTION
FOR LEAVE TO SUPPLEMENT MOTION
FOR RECONSIDERATION

(Doc. 27)

/

Plaintiff Robert P. Smith, III is a state prisoner who was proceeding pro se in this civil action. On September 29, 2010, the Court granted Plaintiff’s motion to remand this action to Kings County Superior Court and denied his motion for sanctions. On October 18, 2010, Plaintiff filed a motion seeking reconsideration of the denial of his motion for sanctions. Defendants did not file a response and the motion was denied, with prejudice, on April 13, 2011, following the issuance an order from the Ninth Circuit staying Plaintiff’s appeal pending a ruling on the motion. (Docs. 25, 26.) On April 12, 2011, Plaintiff filed a motion seeking leave to supplement his motion for reconsideration. (Doc. 27.)

///
///
///
///
///

1 The Court has already issued its ruling on Plaintiff's motion for reconsideration and
2 Plaintiff's motion for leave to supplement, filed April 13, 2011, is HEREBY DENIED.¹

3
4 IT IS SO ORDERED.

5 **Dated:** April 14, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

¹ The Court's order was issued on April 12, 2011, but it was not docketed until the next day. Plaintiff's motion was docketed on April 13, 2011.