

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRYAN A. RANSOM,

CASE NO. 1:10-cv-1423-LJO-MJS (PC)

Plaintiff,

ORDER DENYING MOTION TO ALTER OR
AMEND JUDGMENT

v.

(ECF No. 9)

SECRETARY OF DEPARTMENT OF
CORRECTIONS AND REHABILITATION,
et al.,

Defendants.

_____ /

Plaintiff Bryan A. Ransom ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On August 11, 2010, the Court denied Plaintiff's ability to proceed in forma pauperis and ordered him to pay the full filing fee. (ECF No. 4.) Plaintiff filed a Motion for Relief from Order asking the Court to reconsider its denial of in forma pauperis status based on Federal Rules of Civil Procedure 60(b)(1) and 60(b)(6). On August 26, 2010, the Court denied Plaintiff's Motion for Relief from Order. (ECF No. 7.)

Before the Court is Plaintiff's "Motion to Alter and/or Amend Judgement Pursuant to FRCP 59(e)." Rule 59(e) provides: "A motion to alter or amend a judgment must be filed no later than 28 days after the entry of the judgment." By its plain language, Rule 59(e) applies only after the Court has entered judgment, which has not yet occurred in this case. As such, Rule 59(e) cannot provide any relief to Plaintiff.

Accordingly, Plaintiff's Motion to Alter or Amend Judgement Pursuant to FRCP 59(e) is DENIED.

IT IS SO ORDERED.

Dated: September 9, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE