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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESSE LEE SHAVERS,
Plaintiff,
v.
RUIZ, et al.,
Defendants.

Case No. 1:12-cv-00394-LJO-SKO PC
ORDER DENYING RULE 59 MOTION,
WITH PREJUDICE
(Doc. 20)

On June 21, 2013, Plaintiff Jesse Lee Shavers, a state prisoner who was proceeding pro se in this action brought under 42 U.S.C. § 1983, filed a motion seeking to alter or amend judgment pursuant to Federal Rule of Civil Procedure 59(e). Rule 59 pertains to altering or amending judgment following trial. In addition to the untimeliness of the motion, this action was dismissed prior to trial and Rule 59 is inapplicable.¹

Accordingly, Plaintiff's motion for relief pursuant to Rule 59 is HEREBY ORDERED DENIED, with prejudice.

IT IS SO ORDERED.

Dated: June 24, 2013

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

¹ Plaintiff's motion for relief from judgment filed pursuant to Federal Rule of Civil Procedure 60(b) was denied on November 5, 2012.

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