

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**

DAVID ESTRADA,)	Case No.: 1:13cv00919 LJO DLB (PC)
)	
Plaintiff,)	ORDER DENYING PLAINTIFF’S
)	MOTION FOR RECONSIDERATION
v.)	
)	
GIPSON, et al.,)	(Document 78)
)	
Defendants.)	
)	
)	
)	

Plaintiff David Estrada (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action. Plaintiff filed his First Amended Complaint on August 7, 2013. Pursuant to the Court’s screening order and Plaintiff’s notice of willingness to proceed on the cognizable claims, this action is proceeding against (1) Defendants Gipson and Espinosa for retaliation in violation of the First Amendment; and (2) Defendants Gipson, Espinosa, Lambert and Cavazos for violation of the Eighth Amendment.

On January 27, 2014, Defendants filed a Motion to Dismiss and requested that it be filed under seal since the First Amended Complaint has been filed under seal. The Court granted the request and the motion is pending.

On January 21, 2014, Plaintiff filed a motion entitled, “Motion for Sanctions to be Imposed and the Return of Property.” The Court construed the motion as a motion for injunctive relief.

1 safety and security of the institutional setting. He states that sealing is required to prevent disclosure
2 of identities and information. However, as the Court found in the order denying his request to seal, the
3 objections did not contain the type of sensitive information that would warrant sealing. Indeed,
4 Plaintiff did not name any specific individuals in his objections.

5
6 Plaintiff's motion does not present newly discovered evidence, demonstrate that the Court
7 committed clear error, or set forth an intervening change in the controlling law. Rather, Plaintiff
8 simply presents arguments that were already addressed in the prior ruling.

9 Accordingly, Plaintiff's Motion for Reconsideration is DENIED.
10 IT IS SO ORDERED.

11 Dated: April 16, 2014

/s/ Lawrence J. O'Neill
12 UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28