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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

GILFREDO LOPEZ,	)	Case No.: 1:14-cv-01003-LJO-BAM (PC)
	)	
Plaintiff,	)	ORDER REGARDING PLAINTIFF’S MOTION TO
	)	AMEND JUDGMENT
v.	)	
	)	
D. BERKBILE, et al.,	)	(ECF No. 17)
	)	
Defendants.	)	
	)	
	)	

Plaintiff Gilfredo Lopez (“Plaintiff”) is a federal prisoner proceeding *pro se* and *in forma pauperis* in this civil action pursuant to *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388, 91 S. Ct. 1999 (1971). Plaintiff initiated this action on June 16, 2014.

On April 14, 2015, the Court (1) dismissed Plaintiff’s claims against staff at United States Penitentiary Big Sandy in Eastern Kentucky, and against staff at United States Penitentiary Hazelton, in West Virginia, without prejudice, based on improper venue; and (2) dismissed Plaintiff’s claims against staff at United States Penitentiary Atwater in Atwater, California, with prejudice, for failure to state a claim upon which relief may be granted. (ECF No. 12.) On December 21, 2015, Plaintiff filed a motion to reconsider the dismissal order. (ECF No. 13.) On August 10, 2016, the Court denied Plaintiff’s first motion for reconsideration. (ECF No. 14.)

Plaintiff then filed a motion to supplement and clarify his Rule 60(b)(6) motion, dated August 12, 2016. (ECF No. 15.) The Court construed that filing as a second motion for reconsideration of the

1 dismissal order pursuant to Rule 60(b)(6), considered it, and denied it by an order dated August 18,  
2 2016. (ECF No. 16.)

3 Currently before the Court is Plaintiff's motion to amend the judgment. (ECF No. 17.) Plaintiff  
4 argues that the order denying his first motion for reconsideration was premature, as it was made  
5 without the additional clarification of his claims and supplemental evidence. As a result, he seeks for  
6 the Court to amend its judgment based on his additional filing.

7 As explained above, the Court considered Plaintiff's supplement and clarification to his Rule  
8 60(b)(6) motion. For the reasons stated in its August 18, 2016, it did not find that the additional  
9 clarification and supplemental evidence was sufficient grounds to reconsider its previous order  
10 dismissing this action. As a result, Plaintiff's current request for the Court to consider his additional  
11 arguments, evidence, and information is moot, and shall be denied.

12 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion to amend the judgment, dated  
13 August 17, 2016 (ECF No. 17), is DENIED.

14 IT IS SO ORDERED.

15 Dated: August 23, 2016

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