

1 document he titled “Motion for Writ of Mandate – Relief from Judgment.” (Doc. No. 45.) The
2 court construes it as a second motion for relief from a final judgment or order. (*Compare id. with*
3 Doc. No. 44.)

4 Pursuant to Rule 60, the court may relieve a party from a final judgement or order “for the
5 following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered
6 evidence . . . ; (3) fraud . . . , misrepresentation, or misconduct by an opposing party; (4) the
7 judgment is void; (5) the judgment has been satisfied, released, or discharged; . . . or (6) any other
8 reason that justifies relief.” Fed. R. Civ. P. 60(b). In addition, pursuant to Local Rule 230(j), a
9 party seeking reconsideration of an order on a motion must show “what new or different facts or
10 circumstances are claimed to exist which did not exist or were not shown upon such prior motion,
11 or what other grounds exist for the motion.”

12 Plaintiff does not provide justification for relief based on any of the above-enumerated
13 grounds. Plaintiff’s motions, like his complaints (*see, e.g.*, Doc. No. 20) and his objections to the
14 October 31, 2018 findings and recommendations (Doc. No. 23), consist primarily of disjointed,
15 generalized conclusions and are devoid of specific factual contentions. More to the point,
16 plaintiff does not provide any new facts or circumstances that did not exist or were not considered
17 by the court upon its adoption of the findings and recommendations. The Ninth Circuit has also
18 considered plaintiff’s pleadings and affirmed this court’s conclusion that plaintiff “failed to allege
19 facts sufficient to state a plausible claim.” (Doc. No. 41 at 2.) Plaintiff provides no justifiable
20 reason to reconsider this conclusion.

21 Accordingly, plaintiff’s motions for relief from a final judgment or order (Doc. Nos. 44,
22 45) are denied. The court will not entertain any further filings in this closed case.

23 IT IS SO ORDERED.

24 Dated: July 14, 2021

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UNITED STATES DISTRICT JUDGE