


1 the court would have been the same: petitioner’s habeas action would have been dismissed,
2 because this court had no jurisdiction to consider a successive petition. Therefore, there is
3 nothing to alter or amend in the judgment. See Fed. R. Civ. P. 59(e); *Sirtos v. Allstate Ins. Co.*,
4 No. CV 02-8798-RGK (AIWx), 2004 WL 5803850, at *1 (C.D. Cal. June 21, 2004) (noting a
5 motion under Rule 59 “must seek a substantive change that would result in a substantive
6 alteration of the judgment rather than just a clerical correction or change in a purely procedural
7 matter”).

8 Accordingly, petitioner’s December 1, 2017 motion for relief from judgment (Doc. No. 9)
9 is denied.

10 IT IS SO ORDERED.

11 Dated: December 20, 2017

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14 UNITED STATES DISTRICT JUDGE
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