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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EARNEST CASSELL WOODS, II,

Plaintiff,

No. CIV S-04-1225 LKK GGH P

vs.

TOM L. CAREY, et al.,

Defendants.

ORDER

_____ /

The court is in receipt of plaintiff’s motion for reconsideration of the court’s July 7, 2009 order, in which the court denied plaintiff’s request for a transcript at the government’s expense. For the reasons stated herein, the court denies plaintiff’s motion.


“Under the ‘law of the case’ doctrine a court is generally precluded from reconsidering an issue that has already been decided by the same court, or a higher court in the identical case.” United States v. Alexander, 106 F.3d 874, 876 (9th Cir. 1997)(citing Thomas v. Bible, 983 F.2d 153, 154 (9th Cir. 1993), cert. denied, 508 U.S. 951 (1993)). Although motions to reconsider are directed to the sound discretion of the court, see Kern-Tulare Water Dist. v. City of Bakersfield, 634 F.Supp. 656, 665 (E.D. Cal. 1986), aff’d in part and rev’d in part on other grounds, 824 F.2d 514 (9th Cir. 1987), cert. denied, 486 U.S. 1015 (1988), considerations of judicial economy weigh heavily in the process. Thus, Local Rule 78-230(k) requires that a party seeking reconsideration of a district court's order must brief the “new or different facts or circumstances .

1 . . which . . . were not shown upon such prior motion, or what other grounds exist for the
2 motion.” Generally speaking, before reconsideration may be granted there must be a change in
3 the controlling law or facts, the need to correct a clear error, or the need to prevent manifest
4 injustice. See Alexander, 106 F.3d at 876.

5 In the case at bar, plaintiff fails to explain how there was a change in the controlling law
6 or facts, or a need to correct a clear error. Upon review of the court’s July 7, 2009, that order
7 appears supported by law and the facts before the court. Accordingly, plaintiff’s motion for
8 reconsideration (Doc. 251) is DENIED.

9 IT IS SO ORDERED.

10 DATED: September 4, 2009.

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14 LAWRENCE K. KARLTON
15 SENIOR JUDGE
16 UNITED STATES DISTRICT COURT
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