UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

HOWARD SCOTT,

Plaintiff,

v.

M. McDONALD, et al.,

Defendants.

No. 2:09-cv-0851-MCE-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On March 21, 2014, the court denied plaintiff's request for appointment of counsel. ECF No. 137. The court also construed plaintiff's motion, entitled "Motion for Summary Judgment and Motion for Request for Appointment of Counsel as well as Opposing Attorney General Motion to Dismiss," as a motion to compel, and denied that motion as well. *See id.* (explaining that given the July 29, 2013 deadline for filing motions to compel, plaintiff's February 7, 2014 motion was not timely filed). Plaintiff has filed "objections" to the March 21, 2014 order, which the court construes as a motion for reconsideration. *See* ECF No. 132 at 2, 3 (objecting to portion of order denying counsel and requesting that the court "revisit" its ruling on the "summary judgment" motion).

Local Rule 230(j) requires that a motion for reconsideration state "what new or different facts or circumstances are claimed to exist which did not exist or were not shown upon such prior

motion," and "why the facts or circumstances were not shown at the time of the prior motion." E.D. Cal., Local Rule 230(j)(3)-(4).

Plaintiff's motion must be denied because it does not describe new or different facts that plaintiff could not have shown with his prior motion.

Accordingly, IT IS HEREBY ORDERED that plaintiff's "objections," construed as a motion for reconsideration (ECF No. 141) is denied.

DATED: May 12, 2014.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE