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

MARVIN GLENN HOLLIS,

Plaintiff,

No. CIV S-09-1065 KJM P

vs.

J. MCGUIRE, et al.,

Defendants.

ORDER

_____ /

Plaintiff has filed a request for reconsideration of an order issued by the court on October 9, 2009. The court may reconsider a ruling under either Federal Rule of Civil Procedure 59(e) or 60(b). See Sch. Dist. Number. 1J, Multnomah County v. ACandS, Inc., 5 F.3d 1255, 1262 (9th Cir. 1993). “Reconsideration is appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law.” Id. at 1263.

Plaintiff does not present newly discovered evidence or demonstrate that there has been a change in controlling law. Furthermore, the court finds that, after a de novo review of this case, the court’s October 9, 2009 order is neither manifestly unjust nor clearly erroneous.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's November 18, 2009 motion for reconsideration (#15) is denied.

DATED: December 17, 2009.


U.S. MAGISTRATE JUDGE

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