

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

RONALD DAVENPORT,

Plaintiff,

No. 2:09-cv-3091 GEB EFB P

vs.

BEN LEE, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. On March 28, 2012, the undersigned granted summary judgment in favor of defendants Lee, Reddy, Bal., Dunlap, and Torruella. Plaintiff moves for reconsideration of that order.

Reconsideration is appropriate if the 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. Sch. Dist. No. 1J v. ACandS, Inc., 5 F.3d 1255, 1263 (9th Cir. 1993). 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

///

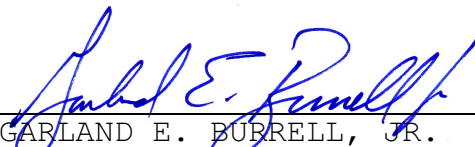
///

1 such prior motion, or what other grounds exist for the motion,” and “why the facts or
2 circumstances were not shown at the time of the prior motion.” E.D. Cal., Local Rule 230(j)(3)-
3 (4).

4 Plaintiff’s motion does not describe new or different facts or circumstances that
5 would warrant reconsideration of the court’s March 28, 2012 order.

6 Therefore, IT IS HEREBY ORDERED that plaintiff’s June 11, 2012 motion for
7 reconsideration (Dckt. No. 69) is DENIED.

8 Dated: June 27, 2012

9
10 
11 _____
GARLAND E. BURRELL, JR.
United States District Judge