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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY R. TURNER,
Plaintiff,
v.
R. THOMAS, et al.,
Defendants.

No. 2:10-cv-2369-MCE-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On July 9, 2012, the Court dismissed this action for plaintiff’s failure to prosecute and failure to state a claim. ECF No. 19. Judgment was duly entered. ECF No. 20. Now, over one year later, plaintiff seeks relief from judgment, and leave to amend. ECF Nos. 21, 22.

When a motion for relief from judgment is not filed within a year after judgment is entered, the Court may only provide the requested relief if the party shows that the “judgment is void,” has been “satisfied, released or discharged,” or “any other reason that justifies relief.” Fed. R. Civ. P. 60(b)-(c). In addition, 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, or what other grounds exist for the 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).

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Plaintiff's motion fails to demonstrate that he is entitled to relief from judgment.

Accordingly, IT IS HEREBY ORDERED that plaintiff's August 27, 2013 motion for relief from judgment (ECF No. 21) and September 3, 2013 motion to amend (ECF No 22) are DENIED.

Dated: September 10, 2013



MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT