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

VINCENT J. BIAGAS, SR.,

No. 2:13-cv-2656-CMK-P

Plaintiff,

vs.

ORDER

T. VIRGA, et al.,

Defendants.

_____/

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court are plaintiff's motions for extension of time, and objections to the denial of his prior motion for temporary restraining order (Docs. 12, 13, 14) and a motion for sanctions (Doc. 8).

As to his requests for additional time to file an amended complaint, the undersigned finds good cause appearing therefor, and the requests will be granted. Plaintiff shall file an amended complaint within 30 days of the date of this order. Plaintiff is warned that failure to file an amended complaint within the time provided may result in dismissal of this action for lack of prosecution and failure to comply with court rules and orders. See Local Rule 110.

1 As to his objections to the denial of his motion for a temporary restraining order,
2 the court will construe those objections as a request for reconsideration. Under Federal Rule of
3 Civil Procedure 60(b), the court may grant reconsideration of a final judgment and any order
4 based on, among other things: (1) mistake, inadvertence, surprise, or excusable neglect; (2)
5 newly discovered evidence which, with reasonable diligence, could not have been discovered
6 within ten days of entry of judgment; and (3) fraud, misrepresentation, or misconduct of an
7 opposing party. A motion for reconsideration on any of these grounds must be brought within a
8 reasonable time and no later than one year of entry of judgment or the order being challenged.
9 See Fed. R. Civ. P. 60(c)(1).

10 Here, plaintiff provides no basis for the court to grant reconsideration of the order
11 denying his motion for temporary restraining order. He does not argue that there was any
12 mistake, newly discovered evidence, or misconduct. He simply asks the court to revisit the
13 motion, apparently because he disagrees with the court's decision. The undersigned finds no
14 basis on which to grant a motion for reconsideration, or a temporary restraining order. The court
15 set forth several reasons why the motion was denied, all of which still apply.

16 As to plaintiff's motion for sanctions (Doc. 8), he appears to be claiming that he is
17 suffering from some retaliation. The court is unsure exactly what plaintiff is requesting, but to
18 the extent he believes he is being retaliated against for pursuing his Constitutional rights or
19 otherwise being mistreated, his remedy may lie in filing a separate action against those
20 individuals who are retaliating against him. Plaintiff does not ask for any specific relief in this
21 motion. He appears to simply be informing the court that he does not agree with the way he is
22 being treated. As there is no specific request for a remedy, and the court cannot see any specific
23 relief the court can grant plaintiff.

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