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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 LEROY WILLIS,

No. 2:14-cv-0573 AC P

12 Plaintiff,

13 v.

ORDER

14 JEFFREY BEARD, et al.,

15 Defendants.
16

17 Plaintiff is a former state prisoner, recently paroled, who commenced this civil rights
18 action in November 2013. Plaintiff consented to the jurisdiction of the undersigned Magistrate
19 Judge for all purposes. See 28 U.S.C. §636(c), and Local Rule 305(a); see also ECF No. 13.
20 Upon screening plaintiff's Second Amended Complaint (SAC), pursuant to 28 U.S.C. § 1915A,
21 the court dismissed this action without prejudice on May 5, 2015 for failure to state a cognizable
22 claim for relief. See ECF No. 22. On May 15, 2015, plaintiff timely signed and mailed a motion
23 for reconsideration. See ECF No. 24.

24 Local Rule 230 requires that a motion for reconsideration set forth, inter alia, "what new
25 or different facts or circumstances are claimed to exist." Local Rule 230(j).


26 In the present motion, plaintiff states only that "a complaint should not be dismissed for
27 failure to state a claim" when "plaintiff meets [the] threshold to make a claim," and that pro se
28 litigants should be "held to [a] less stringent standard." ECF No. 24 at 1.

1 When screening plaintiff's SAC, the undersigned was expressly guided by the
2 requirement that "[t]he court must . . . construe the pleading in the light most favorable to the
3 plaintiff and resolve all doubts in the plaintiff's favor." See ECF No. 22 at 2 (citation omitted).
4 Nevertheless, the undersigned found that the SAC fails to state a cognizable claim. The court
5 noted the specific deficiencies in plaintiff's putative due process and Eighth Amendment claims,
6 as it had in screening plaintiff's First Amended Complaint, and concluded that further amendment
7 of the complaint would be futile. ECF No. 22.

8 The instant motion does not assert any new or different facts or circumstances warranting
9 reconsideration of the dismissal of this action, see Local Rule 230(j), but merely seeks a more
10 generous screening of the SAC; this is not an appropriate basis for reconsideration.

11 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for reconsideration, ECF
12 No. 24, is denied.

13 DATED: June 26, 2015

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15 ALLISON CLAIRE
16 UNITED STATES MAGISTRATE JUDGE
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