

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICIA A. McCOLM,
Plaintiff,
v.
TRINITY COUNTY, et al.,
Defendants.

No. 2:14-cv-0773 KJM CKD P

ORDER

TRINITY COUNTY, et al.,
Defendant

Plaintiff, a former state prisoner proceeding pro se, filed this civil rights action under 42 U.S.C. § 1983. Plaintiff has requested that this court reconsider its February 9, 2015 order dismissing this action and closing the case. (ECF No. 25.)

This action was dismissed on February 9, 2015, due to plaintiff's failure to file an amended complaint. (See ECF Nos. 21, 23.) Plaintiff's complaint was dismissed with leave to amend by order filed May 29, 2014. (ECF No. 10.) Plaintiff received extensions of time, to and including December 23, 2014, to file an amended complaint. (See ECF Nos. 14, 18.) She did not file an amended complaint by that deadline and her request for reconsideration is not accompanied by a proposed amended complaint.

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1 A district court may reconsider a ruling under either Federal Rule of Civil Procedure 59(e)
2 or 60(b). *See Sch. Dist. Number. 1J, Multnomah County v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th
3 Cir. 1993). “Reconsideration is appropriate if the district court (1) is presented with newly
4 discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or
5 (3) if there is an intervening change in controlling law.” *Id.* at 1263. The February 9, 2015
6 decision dismissing this action was not clearly erroneous nor manifestly unjust, and none of the
7 other factors applies.

10 DATED: April 28, 2015.


John Muller
UNITED STATES DISTRICT JUDGE