

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID W. WILSON.

No. 2: 14-cv-1747 WBS KJN P

Plaintiff,

ORDER

K.L. LASSITER et al.,

Defendants.

On September 23, 2014, the undersigned denied plaintiff's application to proceed in forma pauperis and ordered plaintiff to pay the filing fee within thirty days. (ECF No. 7.) On October 15, 2014, plaintiff filed objections to the September 23, 2014 order. (ECF No. 8.) The undersigned construes plaintiff's objections as a request for reconsideration.

Three grounds may justify reconsideration: (1) an intervening change in controlling law; (2) the availability of new evidence; or (3) the need to correct clear error or prevent manifest injustice. Kern-Tulare Water Dist. v. City of Bakersfield, 634 F.Supp. 656, 665 (E.D. Cal. 1986), rev'd in part on other grounds, 828 F.2d 514 (9th Cir. 1987), cert. denied, 486 U.S. 1015 (1988).

In his objections, plaintiff does not cite any intervening change in controlling law, new evidence or grounds demonstrating the need to correct clear error or prevent manifest injustice. Most of plaintiff's objections are devoted to arguments based on pre-existing case law.

1 Accordingly, IT IS THEREFORE ORDERED that:

- 2 1. Plaintiff's objections, construed as a motion for reconsideration, are denied;
- 3 2. Plaintiff is granted thirty days from the date of this order to pay the filing fee; failure to
- 4 pay the filing fee will result in a dismissal of this action.

5 Dated: January 30, 2015

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7 WILLIAM B. SHUBB

8 UNITED STATES DISTRICT JUDGE

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