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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

YASIR MEHMOOD,
Plaintiff,
v.
U.S. MARSHALS SERVICE, et al.,
Defendants.

No. 2:14-cv-2075 CKD P

ORDER

Plaintiff, a federal pretrial detainee proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983. Due to plaintiff’s failure to file a Third Amended Complaint more than four months after the Second Amended Complaint was dismissed, this action was closed on December 30, 2015. (ECF No. 42; see ECF No. 35.)

Before the court is plaintiff’s motion for reconsideration of the judgment. (ECF No. 47.) A district court may reconsider a ruling under either Federal Rule of Civil Procedure 59(e) or 60(b). See Sch. Dist. Number. 1J, Multnomah County v. ACandS, Inc., 5 F.3d 1255, 1262 (9th Cir. 1993). “Reconsideration is appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law.” Id. at 1263. Here, despite plaintiff’s transfer

1 during the intervening four months, the court's decision was not clearly erroneous nor manifestly
2 unjust, and none of the other factors apply.

3 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for reconsideration (ECF
4 No. 47) is denied.

5 Dated: February 17, 2016



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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