

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYSHAWN DONTAY SMITH,
Petitioner,
v.
W. L. MONTGOMERY, et al.,
Respondents.

No. 2:14-cv-2468 CKD P

ORDER

W. L. MONTGOMERY, et al.,
Respondents.

18 Before the court is petitioner’s May 4, 2015 motion to alter or amend the judgment
19 entered on April 16, 2015, denying petitioner’s request to stay this action pursuant to Rhines v.
20 Weber, 544 U.S. 269 (2005). (ECF No. 14.) A district court¹ may reconsider a ruling under
21 either Federal Rule of Civil Procedure 59(e) or 60(b). See Sch. Dist. Number. 1J, Multnomah
22 County v. ACandS, Inc., 5 F.3d 1255, 1262 (9th Cir. 1993). “Reconsideration is appropriate if
23 the district court (1) is presented with newly discovered evidence, (2) committed clear error or the
24 initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law.”
25 Id. at 1263.

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¹ (See ECF No. 6.)

Here, the court has reviewed petitioner's motion and exhibits and determined that none of these three conditions apply.

Accordingly, IT IS HEREBY ORDERED that petitioner's motion for reconsideration (ECF No. 14) is denied.

Dated: May 26, 2015

Carolyn K. Delaney

CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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