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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JASEN LYNN DUSHANE,
Plaintiff,
v.
SACRAMENTO COUNTY MAIN JAIL,
et al.,
Defendants.

No. 2:15-cv-0136 TLN CKD P

ORDER

On October 8, 2015, the Magistrate Judge assigned to this case denied Plaintiff’s motion for appointment of counsel. Plaintiff seeks reconsideration of that order.

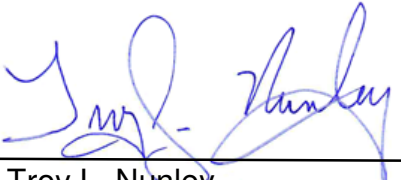
Local Rule 303(b), states “rulings by Magistrate Judges . . . shall be final if no reconsideration thereof is sought from the Court within fourteen days . . . from the date of service of the ruling on the parties.” *Id.* Under Federal Rule of Civil Procedure 6(d), when a party is required to act within a specified period after service of an order, three days are added to the time in which the party must act. Accordingly, Plaintiff’s request for reconsideration was due on October 25, 2015. Because that day fell on a Sunday, Plaintiff was permitted an extra day. Fed R. Civ. P. 6(a)(1)(C). Plaintiff submitted his request for reconsideration to a prison official for mailing on or after October 28, 2015.¹ (ECF No. 40 at 3.) Therefore, the request for

¹ The court generally considers a document submitted by a prisoner as filed the day the document is given to a prison official for mailing. *See Houston v. Lack*, 487 U.S. 266, 270 (1988).

1 reconsideration is not timely.

2 Accordingly, IT IS HEREBY ORDERED that Plaintiff's November 9, 2015, request for
3 reconsideration (ECF No. 40) is denied.

4 Dated: December 4, 2015

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8 Troy L. Nunley
9 United States District Judge
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