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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 AARON STRIBLING,

12 Plaintiff,

13 v.

14 R. MOTT, et al.,

15 Defendants.  
16  
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No. 2:16-cv-0400 CKD P

ORDER

18 Plaintiff, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42  
19 U.S.C. § 1983. On April 5, 2016, the court screened the complaint pursuant to 28 U.S.C. §  
20 1915A(a) and dismissed it with leave to amend. (ECF No. 6.) Before the court is plaintiff's  
21 motion for reconsideration of the screening order. (ECF No. 9.)

22 A district court<sup>1</sup> may reconsider a ruling under either Federal Rule of Civil Procedure  
23 59(e) or 60(b). See Sch. Dist. Number. 1J, Multnomah County v. ACandS, Inc., 5 F.3d 1255,  
24 1262 (9th Cir. 1993). "Reconsideration is appropriate if the district court (1) is presented with  
25 newly discovered evidence, (2) committed clear error or the initial decision was manifestly  
26 unjust, or (3) if there is an intervening change in controlling law." Id. at 1263. Here, the court's

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28 <sup>1</sup> Plaintiff has consented to the jurisdiction of a Magistrate Judge to conduct all proceedings in  
this action. (ECF No. 5.)

1 decision to dismiss the complaint with leave to amend was not clearly erroneous nor manifestly  
2 unjust, and none of the other factors apply.

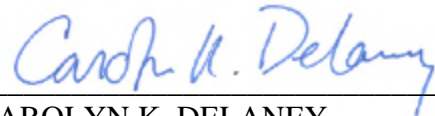
3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Plaintiff's motion for reconsideration (ECF No. 9) is denied;

5 2. Plaintiff's motion for extension of time (ECF No. 10) is granted, such that the motion  
6 for reconsideration is considered timely; and

7 3. Plaintiff is granted 30 days from the date of this order to file an amended complaint as  
8 set forth in the April 5, 2016 order. Failure to file an amended complaint will result in dismissal  
9 of this action.

10 Dated: May 5, 2016



11 CAROLYN K. DELANEY  
12 UNITED STATES MAGISTRATE JUDGE