

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MARILEE BROWN, Pro Se,  
Plaintiff,

v.

SALLY JEWELL, as Secretary of the  
U.S. Department of the Interior; THE  
UNITED STATES FISH AND  
WILDLIFE SERVICE, et al.,  
Defendants.

No. 2:16-cv-00637-MCE-CKD-PS

**ORDER**

Plaintiff Marilee Brown, proceeding in pro se (“Plaintiff”) filed the instant action on grounds that she was subject to retaliation arising out of her employment and subsequent removal as a criminal investigator for the United States Fish and Wildlife Service (“USFWS”). She sues both Sally Jewell, as Secretary of the Department of the Interior, and the USFWS (collectively referred to as “the Federal Defendants”).

The Federal Defendants moved to dismiss the complaint under Federal Rule of Civil Procedure 12(b)(6) on grounds that Plaintiff failed to state any cognizable claim for retaliation. By Findings and Recommendations filed on February 28, 2017 (ECF No. 33), the assigned Magistrate Judge recommended that the Federal Defendants’ Motion be granted. Thereafter, on March 23, 2017, the undersigned adopted those findings and


1 recommendations and dismissed Plaintiff's case without leave to amend. (ECF No. 36)

2 On March 16, 2017, Plaintiff filed a Request for Reconsideration purporting to  
3 include further supporting arguments (ECF No. 39).

4 Under Eastern District Local Rule 230(j), an application for reconsideration must  
5 show what new or different facts are claimed to exist at the time of reconsideration which  
6 did not exist beforehand, or what other grounds exist for the Motion. Plaintiff's instant  
7 request fails to meet that standard. Despite claiming otherwise, Plaintiff provides no new  
8 or different facts or circumstances indicating that reconsideration is appropriate. Nor  
9 does Plaintiff do more than rehash the same legal issues that have already been  
10 decided against him. Plaintiff's Request for Reconsideration (ECF No. 39) is accordingly  
11 DENIED.

12 IT IS SO ORDERED.

13 Dated: January 3, 2018

14   
15 MORRISON C. ENGLAND, JR.  
16 UNITED STATES DISTRICT JUDGE  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28