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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONNY STEWARD,
Plaintiff,
v.
NGOZI O. IGBINOSA, et al.,
Defendants.

No. 2:16-cv-2289 CKD P

ORDER

On February 6, 2017, plaintiff filed a request for reconsideration of the order filed January 20, 2017, denying plaintiff’s motion to log exhibits. (ECF No. 18.)

A district court¹ 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, the court’s decision was not clearly erroneous nor manifestly unjust, and none of the other factors apply.

In its January 20, 2017 order, the court instructed plaintiff to limit his amended complaint to “25 pages of pleading, plus any relevant exhibits.” Thus plaintiff is not barred from resubmitting any exhibits relevant to his claims.

¹ Plaintiff consented to the jurisdiction of a Magistrate Judge to conduct all proceedings in this action. (ECF No. 6.)

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Therefore, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for reconsideration (ECF No. 18) is denied; and
2. The order filed January 20, 2017 is affirmed.

Dated: February 15, 2017



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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