Rodriguez v. Lungren, et al

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALVARO C. RODRIGUEZ,

No. C 07-4126 SI

Plaintiff,

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION

Doc. 29

THE STATE OF CALIFORNIA,

Defendant.

This case has been closed since January, 2008. On January 14, 2008, the Court issued an Order Granting Defendant's Motion to Dismiss plaintiff's complaint, without leave to amend. Dkt. 19. The Court held that plaintiff's complaint is barred, as he cannot attempt to invalidate his state court convictions through this Section 1983 action. *Id.* (citing Heck v. Humphrey, 512 U.S. 477, 486 (1994)). The Court also directed plaintiff "not to file any further federal cases regarding his 1993 state court convictions because these actions are without legal merit." *Id.* On May 1, 2009, the Ninth Circuit Court of Appeals affirmed the Court's January 14, 2008 Order. Dkt. 25.

On April 2, 2012, plaintiff filed a letter with the Court in this closed case entitled "Notice to the Court: All judgments rendered are Void Ab initio." Dkt. 29. To the extent plaintiff's letter is a motion for reconsideration, the motion is DENIED. Plaintiff is again directed to cease filing motions in this case regarding his 1993 state court convictions.

IT IS SO ORDERED.

Dated: April 9, 2012

SUSAN ILLSTON United States District Judge