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

SUSAN MAE POLK,
Plaintiff,
v.
JAMES CAVIN, et al.,
Defendants.

) No. C 08-1483 MMC (PR)
) **ORDER DENYING PLAINTIFF’S**
) **MOTION FOR RECONSIDERATION**
) **(Docket No. 290)**

On March 17, 2008, plaintiff, a California prisoner then incarcerated at the Central California Women’s Facility, and proceeding pro se, filed the above-titled civil rights action under 42 U.S.C. § 1983.¹ On July 22, 2013, the Court entered judgment in favor of all remaining defendants and closed the case. On August 7, 2013, plaintiff filed a “Motion for Reconsideration,” which the Court construes as a motion to alter or amend the judgment pursuant to Federal Rule of Civil Procedure 59(e).

Plaintiff’s motion is hereby DENIED, for the reason that plaintiff has not shown there exists newly discovered evidence, clear error, or an intervening change in the law. See McDowell v. Calderon, 197 F.3d 1253, 1255 (9th Cir. 1999) (en banc) (holding “[a] motion for reconsideration under Rule 59(e) should not be granted, absent highly unusual

¹ Plaintiff currently is incarcerated at the California Institution for Women.

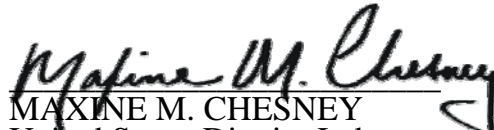
1 circumstances, unless the district court is presented with newly discovered evidence,
2 committed clear error, or if there is an intervening change in the law”) (citation omitted).

3 No further motions should be filed in this closed action.

4 This order terminates Docket No. 290.

5 IT IS SO ORDERED.

6 DATED: August 13, 2013

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8 MAXINE M. CHESNEY
9 United States District Judge

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