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28IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL L. BUESGENS,

Plaintiff,

v.

BEVERLY HART, et al.,

Defendants

No. C-08-5710 MMC

**ORDER DENYING PLAINTIFF'S  
"RESPONSES," CONSTRUED AS  
MOTIONS FOR RECONSIDERATION**

The Court is in receipt of plaintiff's "Response to this Court's Order Document 69 - Filed: 03/26/2009" and plaintiff's "Response to this Court's Order Document 71, Filed March 27, 2009," both filed April 1, 2009. Having read and considered the "responses," the Court rules as follows.

In the first of the two above-referenced "responses," plaintiff seeks reconsideration of the Court's March 26, 2009 order, by which order the Court denied plaintiff's motion to proceed in forma pauperis on appeal from the Court's order of March 13, 2009, for the reason that plaintiff's stated grounds for his appeal were frivolous. Plaintiff has failed to identify any cognizable basis for reconsideration exists, and, in any event, has again failed to identify any non-frivolous ground on which he could base an appeal from the March 13, 2009 order. Accordingly, said "response," construed as a motion for reconsideration, is hereby DENIED.

1 In the second of the two above-referenced "responses," plaintiff seeks  
2 reconsideration of the Court's order of March 27, 2009, by which order the Court denied  
3 plaintiff's request that the Court take judicial notice of certain alleged "facts" pertaining to an  
4 action plaintiff instituted in the United States Merit System Protection Board ("MSPB"), for  
5 the reason that the Court lacks jurisdiction, in this closed case, to consider any controversy  
6 that might exist in an action pending before the MSPB. Plaintiff has failed to identify any  
7 cognizable basis for reconsideration exists. Accordingly, said "response," construed as a  
8 motion for reconsideration, is hereby DENIED.

9 **IT IS SO ORDERED.**

10  
11 Dated: April 7, 2009

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13 MAXINE M. CHESNEY  
14 United States District Judge