

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
NORTHERN DISTRICT OF CALIFORNIA

RODERICK COLEMAN,

No. C 09-5399 MHP (pr)

Plaintiff,

ORDER

v.

FORDE - Deputy; et al.,

Defendants.

_____ /

This pro se civil rights action was filed on November 17, 2009, at which time plaintiff was notified that his action was deficient because he had not filed a completed in forma pauperis application or paid the filing fee and was notified that he had to cure the deficiency within thirty days. He did not do so. The action was dismissed on February 23, 2010 because plaintiff had failed to pay the filing fee or furnish a completed in forma pauperis application. Plaintiff then filed a motion for reconsideration, urging that sometimes he had problems with legal mail at the county jail. He did not, however, show that he did not receive the notice of the deficiency, and did not show that he ever filed a completed in forma pauperis application, or even that he attempted to do so during the several months this action was pending. He has not presented newly discovered evidence, the court did not commit clear error or make a manifestly unjust decision as dismissal was proper, and there has not been a change in controlling law. See School Dist. No. 11 v. ACandS, Inc., 5 F.3d 1255,

United States District Court
For the Northern District of California

1 1263 (9th Cir. 1993), cert. denied, 512 U.S. 1236 (1994); Civil L.R. 7-9. Plaintiff's motion
2 for reconsideration is DENIED. (Docket # 7.)

3 IT IS SO ORDERED.

4 Dated: July 28, 2010



Marilyn Hall Patel
United States District Judge

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