

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

DAREN DEWANE CAMPODONICA,

No. C-10-0297 EMC

Petitioner,

v.

**ORDER DENYING PETITIONER'S
MOTION FOR RECONSIDERATION**

MATTHEW CATE, *et al.*,

(Docket No. 21)

Defendants.

This closed federal habeas action is currently on appeal. Petitioner has filed a motion to alter or amend the judgment, which the Court construes as containing a motion for reconsideration (Docket No. 21).

The motion is denied. Petitioner's motion contains no showing of newly- discovered evidence, or that the Court committed clear error or made an initial decision that was manifestly unjust, or that there was an intervening change in controlling law. *See* Fed. R. Civ. P. 59(e); *United Nat. Ins. Co. v. Spectrum Worldwide, Inc.*, 555 F.3d 772, 779 (9th Cir. 2009) (quoting *Zimmerman v. City of Oakland*, 255 F.3d 734, 740 (9th Cir. 2001)). Nor does the motion contain a showing of newly-discovered evidence, nor does it set forth any mistake, inadvertence, surprise, excusable neglect, fraud by the adverse party, or voiding of the judgment; Petitioner offers no other reason

///

///

///

///

1 justifying relief. *See* Fed. R. Civ. P. 60(b); *School Dist. 1J v. ACandS Inc.*, 5 F.3d 1255, 1263 (9th
2 Cir. 1993). Accordingly, the motion for reconsideration is hereby **DENIED**.

3 The Clerk shall terminate Docket No. 21.

4
5 IT IS SO ORDERED.

6
7 Dated: January 29, 2013

8
9 
10 _____
11 EDWARD M. CHEN
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28