IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT P. SMITH III, D-00615, Plaintiff(s), vs. STATE OF CALIFORNIA, et al., Defendant(s).	No. C 10-2959 CRB (PR) (9th Cir. No. 12-17019) ORDER (Docket # 56)

Plaintiff again has filed a request asking this court to exercise its discretionary authority to refuse to tax costs in favor of the prevailing party. The request is construed as a motion for reconsideration of the court's December 12, 2012 order denying plaintiff's initial request and is DENIED. See Twentieth Century - Fox Film Corp. v. Dunnahoo, 637 F.2d 1338, 1341 (9th Cir. 1981). (motions for reconsideration should not be frequently made or freely granted; they are not a substitute for appeal or a means of attacking some perceived error of the court.)

The clerk shell send a copy of this order to the Ninth Circuit.

SO ORDERED.

DATED: May 21, 2013

CHARLES R. BREYER
United States District Judge

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