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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6 VICTOR J. BRAVO,
7 Plaintiff,

8 v.

9 CALIFORNIA DEPARTMENT OF
10 CORRECTIONS AND REHABILITATION,
11 Defendant.

Case No. [12-cv-06414-JSC](#)

**ORDER DENYING MOTION FOR
RECONSIDERATION**

Re: Dkt. No. 71

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13 Now pending before the Court is Plaintiff's motion for reconsideration of the Court's
14 Order granting Defendant's motion to dismiss with prejudice. (Dkt. No. 68.) Plaintiff styles his
15 motion as a motion to amend a judgment pursuant to Federal Rule of Civil Procedure 59(e), which
16 governs motions to amend or alter judgment after a non-jury trial. Given that no trial was held in
17 this action and that Plaintiff seeks to vacate the order dismissing the action, the Court construes his
18 motion as a request for reconsideration pursuant to Federal Rule of Civil Procedure 60(b).

19 "[A] motion for reconsideration should not be granted, absent highly unusual
20 circumstances, unless the district court is presented with newly discovered evidence, committed
21 clear error, or if there is an intervening change in the controlling law." *389 Orange St. Partners v.*
22 *Arnold*, 179 F.3d 656, 665 (9th Cir. 1999). A motion for reconsideration "may not be used to raise
23 arguments or present evidence for the first time when they could reasonably have been raised
24 earlier in the litigation." *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000).
25 Plaintiff seeks reconsideration of the Court's Order on the basis that the undersigned is "aiding
26 and abetting" Defendant by ignoring legal authority in Plaintiff's favor. (Dkt. No. 71 at 2.)
27 Contrary to Plaintiff's bald assertions, the Court closely examined Plaintiff's multiple complaints
28 and the discernible legal arguments presented by both sides. Plaintiff's mere disagreement with

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the Court’s ultimate conclusion does not provide a basis for his motion for reconsideration.
Plaintiff’s motion is accordingly DENIED.

IT IS SO ORDERED.

Dated: May 16, 2014



JACQUELINE SCOTT CORLEY
United States Magistrate Judge