IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LINDA PEDRAZA,

Plaintiff,

v.

ALAMEDA UNIFIED SCHOOL DISTRICT, et al.,

Defendants.
_____/

No. 05-04977 CW

ORDER DENYING PLAINTIFF'S MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION

Pro se Plaintiff Linda Pedraza has filed a document entitled, "Plaintiff's Statements of Objections to the Order of October 20, 2011 Pursuant to FRCP 46, FRCP 9(b), Jury Demand FRCP 38(a), Relief from a Judgment FRCP 60(b), Motion to Strike Pleadings FRCP 12(f), 9 USCS § 3." The Court construes this document as a motion for leave to file a motion for reconsideration because, in it, Plaintiff seeks to relitigate issues previously adjudicated in Orders issued on October 20, 2011 and September 29, 2011. Having considered all the papers filed by Plaintiff, the Court denies the motion.

In the October 20, 2011 Order, the Court construed two documents filed by Plaintiff to be motions for leave to file a motion for reconsideration and denied them. In this filing, Ms. Pedraza argues that her previous filings were not motions for reconsideration. However, this argument is belied by the fact

that, in them, she attempted to relitigate previously adjudicated issues.

In the present document, Plaintiff brings up the same issues as she did in her previous filings. She does not meet the standard for reconsideration of an interlocutory order as provided in Local Civil Rule 7-9, which the Court cited in the October 10, 2011 Order. Plaintiff may not attempt to re-litigate issues that have been decided. If Plaintiff feels the Court ruled in error, she may appeal the Court's decisions after entry of judgment. See Twentieth Century-Fox Film Corp. v. Dunnahoo, 637 F.2d 1338, 1341 (9th Cir. 1981) (motions for reconsideration are not substitute for appeal or means of attacking perceived error of the court).

Therefore, the Court denies Plaintiff's motion for leave to file a motion for reconsideration.

IT IS SO ORDERED.

Dated: 11/23/2011

CLAUDIA WILKEN
United States District Judge