

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

YVONNE JETT,

Plaintiff,

No. C 08-4290 PJH

v.

**ORDER DENYING AMENDED  
MOTION TO REOPEN CASE**

JOHN E. POTTER,

Defendant.

The court is in receipt of an Amended Notice of Motion to Reopen Case, filed by plaintiff on January 19, 2010. Notwithstanding the fact that the court denied plaintiff's request to reopen the underlying action a mere two weeks prior, plaintiff once again requests the same relief, this time on grounds, in part, that plaintiff is "an indigent and pro se" and furthermore, on grounds that plaintiff did "go through procedures and ... exhausted all of [her] Administrative requirements and alternatives."

For the reasons stated in its prior order dated January 5, 2010, plaintiff's request remains untimely and moot, given the Ninth Circuit's opinion affirming the dismissal of this action on the merits. Plaintiff's request also remains substantively deficient, for the additional reason that plaintiff fails to address the exhaustion deficiencies upon which the original dismissal of her complaint was based. To the extent plaintiff's amended motion adds the argument that she sent certain documents to the district and appellate courts and thus requests that the court "review all of [the] documents that [she] sent," this is not enough to overcome the exhaustion deficiencies previously identified by the court, even assuming that plaintiff had timely presented the instant motion.

In sum, plaintiff's amended request to reopen her case does not, and cannot

1 succeed where her prior request failed, in view of the court's prior dismissal of the case and  
2 the Ninth Circuit's affirmance of that order. Thus, plaintiff's amended motion to reopen her  
3 case is DENIED.

4 The court further notifies plaintiff that it will not consider any future filings or requests  
5 submitted by plaintiff.

6 **IT IS SO ORDERED.**

7 Dated: January 25, 2010



PHYLLIS J. HAMILTON  
United States District Judge