

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

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD J. CRANE,	)	No. C 06-06910 JF (PR)
Plaintiff,	)	ORDER DENYING MOTION FOR RECONSIDERATION
vs.	)	
S. HATTON, et al.,	)	
Defendants.	)	(Docket No. 85)

On September 23, 2009, the Court dismissed this action without prejudice pursuant to 28 U.S.C. § 1915(g). Plaintiff filed a motion for relief, citing generally Federal Rule of Civil Procedure 60. (Docket No. 85.) Plaintiff asserts that the entire \$350.00 filing fee was paid and that the action was dismissed in error. However, Plaintiff paid only \$100.00 of the filing fee. (See Docket No. 82.) In the interest of justice, the Court directed Plaintiff to provide proof that the remaining \$250.00 was paid prior to judgment being entered so that the Court could consider reopening this action. (See Docket No. 92.)

On November 23, 2009, Plaintiff filed a notice wherein he states that another inmate had attempted to send the remaining \$250.00, but admits that the money was never mailed to the Court. (Id. at 2.) Accordingly, the motion for reconsideration is DENIED.

IT IS SO ORDERED.

DATED: 12/3/09



\_\_\_\_\_  
JEREMY FOGEL  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD J CRANE,  
Plaintiff,

Case Number: CV06-06910 JF

**CERTIFICATE OF SERVICE**

v.

S. HATTON, et al.,  
Defendants.

\_\_\_\_\_/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 12/21/09, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Richard J. Crane C-44519  
High Desert State Prison  
P.O. Box 3030  
Fac. "B" Bldg. #4, Cell #136  
Susanville, CA 96127-3030

Dated: 12/21/09

Richard W. Wieking, Clerk