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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEENAN G. WILKINS,	)	No. C 11-2704 LHK (PR)
	)	
Plaintiff,	)	ORDER DENYING POST-
	)	JUDGMENT MOTIONS
v.	)	
	)	
COUNTY OF ALAMEDA, et al.,	)	(Docket Nos. 33, 34)
	)	
Defendants.	)	
_____	)	

Plaintiff, a state prisoner proceeding *pro se*, filed a second amended civil rights complaint pursuant to 42 U.S.C. § 1983. On May 1, 2012, the court dismissed this action without prejudice for failing to comply with Federal Rules of Civil Procedure 18 and 20. On September 1, 2012, the Ninth Circuit Court of Appeals dismissed plaintiff’s appeal for failure to prosecute. On November 8, 2012, this court denied plaintiff’s motions for reconsideration.

On July 26, 2013, and August 26, 2013, plaintiff filed a motion for relief from judgment under Rule 60(b)(1), and a motion for administrative justice. Federal Rule of Civil Procedure 60(b)(1) permits a court to reopen judgments for reasons of “mistake, inadvertence, surprise, or excusable neglect, but only on motion made within one year of the judgment.” *Pioneer Inv. Services Co. v. Brunswick Associates Ltd. Partnership*, 507 U.S. 380, 393 (1993) (internal quotation marks omitted). If a 60(b)(1) motion is untimely, the district court lacks jurisdiction to consider the merits of the motion. *Nevitt v. United States*, 886 F.2d 1187, 1188 (9th Cir. 1989).

1 Here, the judgment was entered on May 1, 2012. Thus, plaintiff's motion for relief under Rule  
2 60(b)(1) is DENIED as untimely.

3 Plaintiff's motion for administrative justice requests the court to identify for plaintiff the  
4 claims and defendants mentioned in plaintiff's second amended complaint that can be properly  
5 joined under Rules 18 and 20. The court cannot give legal advice. Plaintiff's motion for  
6 administrative justice is DENIED.

7 No further filings will be accepted in this closed case.

8 **IT IS SO ORDERED.**

9 DATED: 10/3/13

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12 LUCY H. KOH  
13 United States District Judge  
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