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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

MYKAL S. RYAN,  
Plaintiff,  
v.  
TIMOTHY M. HYDEN, et. al.,  
Defendants.

Civil No. 13cv0090 JAH (KSC)  
**ORDER DENYING PLAINTIFF’S  
MOTION FOR  
RECONSIDERATION**  
[Doc. No. 131]

Plaintiff, appearing *pro se*, filed a motion for reconsideration of this Court’s order denying his motion for recusal. Rule 60(b) of the Federal Rules of Civil Procedure permits a court to relieve a party from judgment or an order for (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence; (3) fraud, misrepresentation or misconduct; (4) the judgment is void; (5) the judgment has been satisfied, released or discharged; or (6) any other reason that justifies relief.

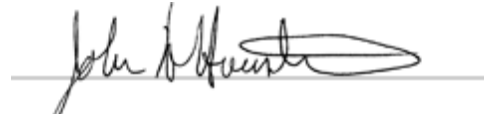
Plaintiff argues the Court erred in failing to recuse from the action. He reiterates argument made in support of his original motion and further argues the Court ignored Liteky v. United States, 510 U.S. 540 (1994). In Liteky, the Supreme Court discussed the “extrajudicial source” doctrine and determined that while an “extrajudicial source” is not necessary, “judicial rulings alone almost never constitute a valid basis for a bias or partiality motion.” Id. at 554 - 55. The Court further explained that “only in the rarest circumstances,” will judicial rulings “evidence the degree of favoritism or antagonism required. . .when no extrajudicial source is involved.” Id.

1           Although this Court found Plaintiff's allegations centered around judicial  
2 proceedings and not a extrajudicial source, the Court also found no circumstances  
3 supporting a personal bias or prejudice existed and that Plaintiff failed to present any  
4 grounds to demonstrate this Court has acted improperly. Furthermore, Plaintiff's  
5 allegations of misconduct which center around this Court's rejection of his many  
6 documents do not evidence favoritism or antagonism as required for recusal.

7           Therefore, Plaintiff fails to demonstrate reconsideration is warranted.

8           Accordingly, IT IS HEREBY ORDERED Plaintiffs' motion for reconsideration is  
9 **DENIED.**

10 DATED: September 16, 2013

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12 JOHN A. HOUSTON  
13 United States District Judge

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