**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 08-cv-01669-REB-MJW

ESTATE OF ELIAS SANTISTEVAN, by Chanell Santistevan as personal representative,
ESTATE OF DEION SANTISTEVAN, by Chanell Santistevan as personal representative,
and
CHANELL SANTISTEVAN, individually,

      Plaintiffs,

v.

THE CITY AND COUNTY OF DENVER, COLORADO, et al.,

      Defendants.

**ORDER DENYING PLAINTIFF'S MOTION FOR
RECONSIDERATION OF ORDER OVERRULING OBJECTIONS**

Blackburn, J.

The matter before me is **Plaintiff's** (sic) **Motion To Reconsider Ruling Costs**

[sic] [#85] filed July 10, 2010. I deny the motion.

The bases for granting reconsideration are extremely limited:

> Grounds warranting a motion to reconsider include (1) an
> intervening change in the controlling law, (2) new evidence
> previously unavailable, and (3) the need to correct clear
> error or prevent manifest injustice. Thus, a motion for
> reconsideration is appropriate where the court has
> misapprehended the facts, a party's position, or the
> controlling law. It is not appropriate to revisit issues already
> addressed or advance arguments that could have been
> raised in prior briefing.

Servants of the Paraclete v. Does, 204 F.3d 1005, 1012 (10th Cir. 2000) (citations

omitted). Plaintiffs offer nothing suggesting that any of these factors are implicated in

this case. More particularly, plaintiffs failed to file a response to defendants' motion to

reconsider the costs originally taxed by the Clerk of the Court. Their motion does not

acknowledge, much less seek to explain or excuse, this lapse. Having failed in the first

instance to present their position in a timely filed response, plaintiffs cannot now ask the

court to "reconsider" arguments that should have been raised in the appropriate time

and manner.

      THEREFORE, IT IS ORDERED that **Plaintiff's** (sic) **Motion To Reconsider**

Ruling Costs [sic] [#85] filed July 10, 2010, is **DENIED**.

      Dated July 19, 2010, at Denver, Colorado.

                        BY THE COURT:

Robert E. Blackburn
United States District Judge