

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

Civil Case No. 08-cv-02117-REB-KLM

EMMANUEL SANAAH,

Plaintiff,

v.

NURSE DEBB HOWELL,  
WARDEN ARELLANO,  
MAJOR SCOTT GROVER, Life Safety Cordinator [sic] and Maintenance Supervisor,  
and  
MAINTENANCE WORKER LT. BOSLEY,

Defendants.

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**ORDER DENYING PLAINTIFFS' MOTION TO ASK  
PERMISSION TO ALTER OR AMEND THE JUDGMENT  
AND ALSO ASK FOR EXTENSION OF TIME TO AMEND**

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**Blackburn, J.**

The matter before me is plaintiff's **Motion To Ask Permission To Alter or Amend the Judgment and Also Ask for Extension of Time To Amend** [#91] filed December 10, 2009. I exercise my discretion pursuant to D.C.COLO.LCivR 7.1C. and deny the motion without awaiting a response by defendants.

Because plaintiff's motion was filed within ten days of the entry of judgment, it is properly considered under Fed.R.Civ.P. 59(e). However, the bases for granting a motion under Rule 59(e) are 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 (10<sup>th</sup> Cir. 2000) (citations omitted).

None of these circumstances pertains here. Plaintiff has devoted much of his energy in this litigation to insisting that his grasp of the English language is too tenuous to permit him to articulate his claims without counsel. The instant motion shows yet again that plaintiff's self-assessment of his own limitations is inaccurate and exaggerated. In any event, the motion is little more than a regurgitation of allegations the court has already considered and rejected. To the extent, if any, that it presents new factual material, there is simply nothing to indicate that such information could not have been presented timely. Accordingly, the motion must be denied.

**THEREFORE, IT IS ORDERED** that plaintiff's **Motion To Ask Permission To Alter or Amend the Judgment and Also Ask for Extension of Time To Amend** [#91] filed December 10, 2009, is **DENIED**.

Dated December 11, 2009, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge