

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

Civil Case No. 09-cv-00223-REB-MJW

RUSSELL M. BOLES,

Plaintiff,

v.

DEVIN NEWTH,
M. PECK,
ABNEY, and
C.L. HUMPHREY,

Defendants.

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

Blackburn, J.

The matter before me is plaintiff's **Motion for Reconsideration of Order Overruling Objections** [#48] filed March 29, 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.

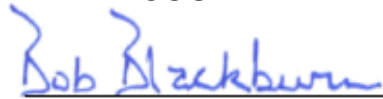
Servants of the Paraclete v. Does, 204 F.3d 1005, 1012 (10th Cir. 2000) (citations omitted). Plaintiff offers nothing to suggest that any of these factors is implicated in this case. His mere disagreement with my resolution of the issues presented in **Defendants**

(sic) **Combined Motion To Dismiss and Memorandum Brief in Support of Motion To Dismiss** [#21] filed June 22, 2009, presents no proper basis on which to reconsider my prior ruling.

THEREFORE, IT IS ORDERED that plaintiff's **Motion for Reconsideration of Order Overruling Objections** [#48] filed March 29, 2010, is **DENIED**.

Dated April 6, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge