

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00824-WYD-KLM

RICHARD RAMOS,

Plaintiff,

v.

JIM KELLER,
TASHA DOBBS,
DUANE ROBINSON, and
ROBERT ARMENTA,

Defendants.

ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Motion for Part Amend in Case** [Docket No. 18; Filed July 1, 2009] (the "Motion"). Plaintiff appears to be requesting reconsideration of District Court Judge Weinshienk's Order dismissing his claim that he has been denied access to the Courts. [Docket No. 11].

This Court does not have jurisdiction to review an order of a District Court Judge. Moreover, a motion for reconsideration "is an extreme remedy to be granted in rare circumstances." *Brumark Corp. v. Samson Res. Corp.*, 57 F.3d 941, 944 (10th Cir. 1995). It is well established in the Tenth Circuit that grounds for 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." *Servants of Paraclete v. Does*, 204 F.3d 1005, 1012 (10th Cir. 2000) (citing *Brumark*, 57 F.3d at 948). Therefore, a motion to reconsider is "appropriate [only] 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." *Id.* Plaintiff has not submitted any new facts or law to support the Motion. Accordingly,

IT IS HEREBY **ORDERED** that the Motion is **DENIED**.

Dated: August 24, 2009

_____/s/ Kristen L. Mix_____
Kristen L. Mix
United States Magistrate Judge