

argue in the alternative once a decision has been made.” Horsehead Resource Dev. Co., Inc. v. B.U.S. Env'tl. Serv., Inc., 928 F. Supp. 287, 289 (S.D.N.Y. 1996) (internal quotation marks and citations omitted).

Plaintiff has not identified any facts or law that the Magistrate Judge overlooked when she denied his motion to proceed in forma pauperis. Instead, he argues the underlying claims.

Accordingly, plaintiff's Motion for Reconsideration [**Dkt. #6**] is **DENIED**. The complaint is **DISMISSED** for failure to tender the filing fee by the date specified.

SO ORDERED.

Dated at Hartford, Connecticut this 7th day of December 2009.

/s/ Christopher F. Droney
Christopher F. Droney
United States District Judge