

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

LOPE ANTONIO LOPEZ-ORTEGA,

Petitioner,

v.

Case No: 8:15-cv-1845-T-30AEP

UNITED STATES OF AMERICA,

Respondent.

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**ORDER**

THIS CAUSE comes before the Court on Petitioner's second Motion for Reconsideration (Doc. 28) of Dismissal Order of Petitioner's 28 U.S.C. section 2255 (Doc. 17). This Court dismissed Petitioner's section 2255 petition as untimely. (Docs. 17). Petitioner moved for reconsideration (Doc. 19) on September 19, 2016, arguing he should have a chance to rebut testimony about the condition of the law library since his sole argument that his petition was timely rested on whether the law library was adequate.


The Court granted that motion (Doc. 20), and Petitioner filed three documents (Docs. 21–23), including his own affidavit that the law library was inadequate. (Doc. 22). After reviewing Petitioner's documents, the Court concluded his petition should be dismissed because “they do not demonstrate how the inadequacy [of the prison law library] caused Petitioner to miss his motion deadline by more than four years.” (Doc. 24).

Now, Petitioner again moves for reconsideration and again argues the law library was inadequate. (Doc. 28). This is the same argument, and the Court rejects it for the reasons stated in its prior Order.

Accordingly, it is therefore ORDERED AND ADJUDGED that:

1. Petitioner's Motion for Reconsideration (Doc. 28) is DENIED.
2. All pending motions are denied as moot, and the Clerk is directed to close this case.

**DONE** and **ORDERED** in Tampa, Florida, this 30th day of December, 2016.

  
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JAMES S. MOODY, JR.  
UNITED STATES DISTRICT JUDGE

Copies furnished to:  
Counsel/Parties of Record