

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

RICKIE STORM,

Plaintiff,

v.

CORRECTIONAL MEDICAL  
SERVICES, n/k/a CORIZON, INC.;  
MICHAEL TAKAGI, P.A.; CATHY  
FITZGERALD, P.A.; DR. LOIS  
ADRIAN; DR. PATMAS; SETH  
YOURKETTER, P.A.; CARTNEY  
RICH; CONNIE SMOCK; ANITA  
TRAVIS; LARRY L. HYNES; JAN  
EPP; DIANA OBENAUER; AND JEFF  
SHAHAN,

Defendants.

Case No. 1:10-cv-00319-BLW

**MEMORANDUM DECISION AND  
ORDER**

On September 18, 2013, the Court granted summary judgment in favor of Defendants in this civil rights action. (Dkt. 90, 91.) Plaintiff has filed a motion to alter or amend the judgment under Federal Rule of Civil Procedure 59(e). (Dkt. 92.)

Reconsideration of a final judgment under Rule 59(e) is an “extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources.”

*Carroll v. Nakatani*, 342 F.3d 934, 945 (9th Cir. 2003) (internal quotation marks omitted). A losing party cannot use a Rule 59(e) motion to relitigate old matters or to

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raise arguments that could have been raised before the entry of judgment. *See Sch. Dist. No. 1J, Multnomah Cnty. v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993). As a result, there are four limited grounds upon which a motion for reconsideration may be granted: (1) the motion is necessary to correct manifest errors of fact or law; (2) the moving party presents newly discovered evidence; (3) reconsideration is necessary to prevent manifest injustice; or (4) there is an intervening change in the law. *Turner v. Burlington N. Santa Fe R.R. Co.*, 338 F.3d 1058, 1063 (9th Cir. 2003).

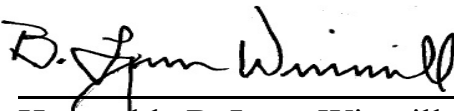
Plaintiff's Motion is nothing more than a disagreement with the Court's legal analysis and an attempt to relitigate the issues already decided against him. The Court concludes that Plaintiff has failed to establish that he is entitled to relief under Rule 59(e).

### **ORDER**

**IT IS ORDERED** that Plaintiff's Motion for Reconsideration (Dkt. 92) is DENIED.



DATED: **March 12, 2014**

  
Honorable B. Lynn Winmill  
Chief U. S. District Judge