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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JEAN MILLER,

2:10-CV-1994 JCM (PAL)

8 Plaintiff,
9
10 v.
11 ALLAN R. GRIFFITH,
Defendant

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ORDER

15 Presently before the court is plaintiff Jean Miller's application for temporary restraining
16 order, urging the court to reconsider the order (doc. #16) denying plaintiff's prior two applications
17 (docs. #12, 13). (Doc. #21).

18 “Reconsideration is appropriate if the district court (1) is presented with newly discovered
19 evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an
20 intervening change in controlling law.” *School Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th
21 Cir. 1993); *see* FED. R. CIV. P. 59(e); *see also* FED. R. CIV. P. 60(b).

22 Plaintiff's merely restates allegations from the prior two motions without addressing the
23 court's concerns outlined in the February 24, 2011, order (doc. #16). Plaintiff has failed to present
24 new evidence or allege a change in controlling law. Neither has plaintiff shown that the court
25 committed clear error nor that the original decision to deny the request was manifestly unjust.

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1 || Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's motion for
3 temporary restraining order (doc. #21) is hereby DENIED.

4 DATED March 7, 2011.

Xenius C. Mahan
UNITED STATES DISTRICT JUDGE