UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GUILLERMO TRUJILLO CRUZ,

Plaintiff,

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B. SMITH, et al.,

Defendants.

Case No. 2:18-cv-00693-RFB-VCF

ORDER

I. DISCUSSION

On April 16, 2018, Plaintiff, who is a prisoner in California, filed an application to proceed *in forma pauperis* and submitted an affidavit with exhibits. (ECF No. 1, 1-1). Plaintiff did not file a complaint in this matter.

On April 19, 2018, the Court ordered Plaintiff to submit a complaint to the Court within thirty days and warned him that the failure to timely comply with that order might result in the dismissal of this case. (ECF No. 2 at 2). The thirty-day period expired and Plaintiff did not file a complaint. Because Plaintiff did not file a complaint in this matter, on May 31, 2018, the Court dismissed the case without prejudice and denied the application to proceed *in forma pauperis* as moot. (ECF No. 3).

On June 18, 2018, Plaintiff responded to the dismissal by filing a document he entitled "Notice of Action.' (ECF No. 5). Plaintiff states that the defendant in the instant case was joined in case number 1:17-cv-00789-AWI-GSA-PC, and he asks the court to

correct the error. (*Id.* at 1.) The Court construes this document as a motion for reconsideration of its order dismissing the case.

A motion to reconsider must set forth "some valid reason why the court should reconsider its prior decision" and set "forth facts or law of a strongly convincing nature to persuade the court to reverse its prior decision." *Frasure v. United States*, 256 F.Supp.2d 1180, 1183 (D. Nev. 2003). Reconsideration is appropriate if this Court "(1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law." *Sch. Dist. No. 1J v. Acands, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993).

The Court finds that there are no grounds for reconsideration. When Plaintiff filed his application to proceed *in forma pauperis*, he indicated that he was filing a new case. (ECF No. 1 at 1.) Furthermore, the case number that Plaintiff references in his most recent filing is not a case in the District of Nevada. Accordingly, the Court denies the motion for reconsideration.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the motion for reconsideration is denied.

DATED this 25th day of June, 2018.

RICHARD F. BOULARE, II UNITED STATES DISTRICT JUDGE