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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JUSTIN LYNN VICTORY,

Plaintiff(s),

v.

HENDERSON NA P.D., et al.,

Defendant(s).

Case No. 2:23-cv-02086-CDS-NJK

ORDER

[Docket No. 37]

11 On May 13, 2024, the Court denied Plaintiff's motion for appointment of counsel. Docket
12 No. 23. Plaintiff has now filed a motion for reconsideration. Docket No. 37.

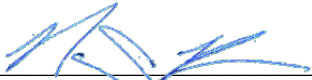
13 "Reconsideration is an extraordinary remedy, to be used sparingly." *Koninklijke Philips*
14 *Elecs. N.V. v. KXD Tech., Inc.*, 245 F.R.D. 470, 472 (D. Nev. 2007) (citation and internal
15 quotations omitted). The Local Rules provide the applicable standards in addressing whether the
16 Court should reconsider an interlocutory order, indicating that reconsideration may be appropriate
17 if (1) there is newly discovered evidence that was not available when the original motion or
18 response was filed, (2) the Court committed clear error or the initial decision was manifestly unjust,
19 or (3) there is an intervening change in controlling law. Local Rule 59-1(a).

20 Grounds for reconsideration have not been shown. For example, Plaintiff's motion
21 indicates that he faces difficulties in litigating this case in light of his status as an incarcerated
22 prisoner, *see, e.g.*, Docket No. 37 at 1, but the Court has already explained that "[c]ircumstances
23 common to most prisoners, such as lack of legal education and limited law library access, do not
24 establish exceptional circumstances that warrant a request for voluntary assistance of counsel,"
25 Docket No. 24 at 1 n.1. (quoting *Baker v. Macomber*, 2020 WL 1182495, at *1 (E.D. Cal. Mar.
26 12, 2020)). Moreover, the record has not changed as to Plaintiff's likelihood of success or his
27 ability to articulate claims and arguments without counsel. *See* Docket No. 24 at 1-2.

1 Accordingly, the Court **DENIES** Plaintiff's motion for reconsideration of the denial of his
2 motion for appointment of counsel.

3 IT IS SO ORDERED.

4 Dated: August 29, 2024

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8 Nancy J. Koppe
9 United States Magistrate Judge
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