

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:08CV94-1-MU

JIMMY D. RIOS,	)	
	)	
Petitioner,	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
RICK R. JACKSON,	)	
	)	
Respondent.	)	
	)	

**THIS MATTER** comes before the Court upon Petitioner’s Motion for Reconsideration (Doc. No. 11), filed June 3, 2008; Petitioner’s Motion for Reconsideration (Doc. No. 12), filed July 9, 2008; and Petitioner’s Motion for Status of Pending Motion (Doc. No. 13), filed August 20, 2008.

On March 18, 2008, Petitioner filed a federal habeas petition with this Court. On May 19, 2008, this Court dismissed Petitioner’s federal habeas petition. Petitioner has filed a motion<sup>1</sup> asking the Court to reconsider its ruling. Respondent has filed a response to Petitioner’s Motion to Reconsider. For the reasons set forth in this Court’s May, 19, 2008, Order and for the reasons set forth in Respondent’s response to Petitioner’s Motion for Reconsideration, this Court denies Petitioner’s Motion for Reconsideration.

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<sup>1</sup> Although document number twelve was docketed as a separate motion to reconsider, it appears to be a letter inquiring as to the status of his June 3, 2008, Motion for Reconsideration.

**THEREFORE, IT IS HEREBY ORDERED** that:

1. Petitioner's Motion for Reconsideration (Doc. No. 11) is **DENIED**;
2. Petitioner's Motion for Reconsideration (Doc. No. 12) is **DENIED**; and
3. Petitioner's Motion for Status of Pending Motion (Doc. No. 13) is **DENIED** as moot.

Signed: March 25, 2009



Graham C. Mullen  
United States District Judge

