

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

JESUS RODRIGUEZ,  
Plaintiff,

v.

UNITED STATES OF AMERICA,  
Defendant.

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CIVIL ACTION NO. H-12-0049

**MEMORANDUM AND ORDER**


By Memorandum and Order [Doc. # 41] entered December 19, 2012, the Court granted the Internal Revenue Services's Motion to Dismiss and to Substitute the United States as Defendant, dismissing all claims in the Second Amended Petition except the refund claims for tax years 2003, 2005, and 2006. Plaintiff Jesus Rodriguez filed Motions for Reconsideration [Docs. # 44 and # 49], a Motion for Continuance or Stay of Proceedings [Doc. # 44], and a "Request for Explanation or Summary of Conclusions of Law or Fact Issues Influencing Court Order Dated December 19, 2012" [Doc. # 44]. By Memorandum and Order [Doc. # 51] entered February 13, 2013, the Court denied the motions. Plaintiff then filed a Motion to Alter or Amend and for Relief From Judgment [Doc. # 53], which the Court denied by Order [Doc. # 54] entered March 5, 2013. By Memorandum and Order [Doc. # 85] and Final Judgment [Doc. # 86] entered June 4, 2013, the Court granted summary

judgment in favor of the United States on Plaintiff's refund claims for tax years 2003, 2005 and 2006.

The case is now before the Court on Plaintiff's "Motion for Reconsideration, Reinstatement and/or Consolidation of New Action(s) Based on Recent Internal Revenue Service Admissions and Evidence of Wrongdoing as Investigated and Determined to be Fact by the Treasury Inspector General, and the House Ways and Means Committee Hearings" [Doc. # 87]. The current investigations into allegedly wrongful targeting of conservative organizations do not in any way provide a basis for reinstatement of Plaintiff's claims in this case. Accordingly, it is hereby

**ORDERED** that the Motion [Doc. # 87] is **DENIED**.

SIGNED at Houston, Texas, this 10<sup>th</sup> day of **June, 2013**.

  
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Nancy F. Atlas  
United States District Judge