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5   UNITED STATES DISTRICT COURT
                    EASTERN DISTRICT OF WASHINGTON
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7   JEREMY REESE,

                                            NO: 2:14-CV-00066-RMP
8   Plaintiff,

                                            ORDER DENYING MOTION FOR
9   v.   RECONSIDERATION

10   BARACK OBAMA,

11   Defendant.

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13   BEFORE THE COURT is Plaintiff's "Motion to Reconsider Order Denying

14   *In Forma Pauperis* and Dismissing Action," ECF No. 9. Plaintiff, a prisoner in

15   Texas, is proceeding *pro se*. Defendants were not served with the Complaint. The

16   Motion was considered without oral argument on the date signed below.

17   On April 1, 2014, the Court denied Plaintiff's application to proceed *in*

18   *forma pauperis* and dismissed the action for lack of jurisdiction over Plaintiff's

19   claims and the named Defendant(s). ECF No. 7. Plaintiff now asks the Court to

20   reconsider that Order and to send his complaint "to the right district."

ORDER DENYING MOTION FOR RECONSIDERATION -- 1

Motions for reconsideration serve a limited function. "'[T]he major grounds that justify reconsideration involve an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.'" *Pyramid Lake Paiute Tribe v. Hodel*, 882 F.2d 364, 369 n.5 (9th Cir. 1989). Such motions are not the proper vehicle for offering evidence or theories of law that were available to the party at the time of the initial ruling. *Fay Corp. v. Bat Holdings I, Inc.,* 651 F.Supp. 307, 309 (W.D. Wash. 1987).

In the instant case, Plaintiff has not alleged that there has been an intervening change of controlling law. Likewise, he has not offered newly discovered evidence that would justify this Court re-examining the issue. Thus, the only remaining question is whether the Court should alter its prior ruling in order to "correct a clear error or prevent manifest injustice." *Pyramid Lake*, 882 F.2d at 369 n.5.

The Court has already determined that it would not be in the interests of justice to transfer this action, 28 U.S.C. § 1631, but dismissed it without prejudice

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ORDER DENYING MOTION FOR RECONSIDERATION -- 2

1   to Plaintiff filing it in the appropriate jurisdiction. Plaintiff is free to file his

2   complaint "in the right district." Accordingly, **IT IS ORDERED** that Plaintiff's

3   Motion for Reconsideration, ECF No. 9, is **DENIED**. The Court certifies any

4   appeal of this decision would not be taken in good faith.

5   **IT IS SO ORDERED.** The District Court Executive is directed to enter this

6   Order, forward a copy to Plaintiff and close the file.

7   **DATED** this 30th day of April 2014.

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9   *s/ Rosanna Malouf Peterson*
                         ROSANNA MALOUF PETERSON
10   Chief United States District Court Judge

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ORDER DENYING MOTION FOR RECONSIDERATION -- 3