

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Nov 25, 2024**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JOSH WISE,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF  
SOCIAL SERVICES,

Defendant.

NO. 2:24-CV-0362-TOR

ORDER DENYING  
RECONSIDERATION

BEFORE THE COURT is Plaintiff's Expedited Motion for Reconsideration.

ECF No. 11.

This Court, sitting in the Eastern District of Washington, does not have jurisdiction over a State of California agency.

A motion for reconsideration of a judgment may be reviewed under either Federal Rule of Civil Procedure 59(e) (motion to alter or amend a judgment) or Rule 60(b) (relief from judgment). *Sch. Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993). "Reconsideration is appropriate if the district court (1) is

1 presented with newly discovered evidence, (2) committed clear error or the initial  
2 decision was manifestly unjust, or (3) if there is an intervening change in  
3 controlling law.” *Id.* at 1263; *United Nat. Ins. Co. v. Spectrum Worldwide, Inc.*,  
4 555 F.3d 772, 780 (9th Cir. 2009) (citation omitted). Whether to grant a motion  
5 for reconsideration is within the sound discretion of the court. *Navajo Nation v.*  
6 *Confederated Tribes and Bands of the Yakima Nation*, 331 F.3d 1041, 1046 (9th  
7 Cir. 2003).

8 **ACCORDINGLY, IT IS HEREBY ORDERED:**

9 1. Plaintiff’s Expedited Motion for Reconsideration, ECF No. 11, is

10 **DENIED.**

11 2. The case remains **CLOSED.**

12 The District Court Executive is directed to enter this Order and furnish a  
13 copy to Plaintiff.

14 **DATED** November 25, 2024.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE  
United States District Judge