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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 JONATHAN LEE GENTRY,
10 Petitioner,

11 v.

12 STEVEN SINCLAIR,
13 Respondent.

NO. C99-289RSL

ORDER DENYING MOTION FOR
NEW TRIAL OR TO AMEND
JUDGMENT

14 This matter comes before the Court on “Petitioner’s Motion for New Trial, Or to Amend
15 Judgment,” Dkt. #316. Petitioner first contends that there is manifest error in the Court’s
16 decision to bar petitioner’s claim of ineffective assistance of counsel at sentencing. According
17 to petitioner, this “first ground for new trial or amendment involves the same issue that is the
18 subject of the Court’s most recently [sic] ruling in this case.” *Id.* at 1. The Court considered
19 that issue in 2001, Dkt. #79, reconsidered it in 2003, Dkt. #108, and denied petitioner’s motion
20 to reconsider that issue last month, Dkt. #310. The Court denies petitioner’s attempt at yet
21 another reconsideration of the issue. As the Court stated in its previous order, “Gentry’s only
22 remaining recourse is to file an appeal with the Ninth Circuit seeking review and reversal of the
23 Court’s decision.” Dkt. #310 at 2.

24 Petitioner also contends that the Court’s decision barring petitioner’s proportionality
25 claim is clearly erroneous. Dkt. #316 at 6. Once again, the Court refuses to reconsider its order

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1 denying reconsideration, Dkt. #306. To the extent the Court has erred in any of its orders
2 regarding this case, petitioner will have ample opportunity to argue his position on appeal.

3 For the foregoing reasons, the Court DENIES petitioner's motion for new trial or to
4 amend judgment (Dkt. #316).

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6 DATED this 22nd day of May, 2009.

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13 Robert S. Lasnik
14 United States District Judge