

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PATRICK K. SPURLOCK,

Plaintiff,

v.

MONROE CORRECTIONAL
COMPLEX, et al.,

Defendants.

CASE NO. C16-1703JLR

ORDER

Before the court is *pro se* Plaintiff Patrick K. Spurlock’s “motion on specific findings & conclusions of law/appeal.” (Mot. (Dkt. # 23).) It is not clear what relief Mr. Spurlock seeks in his motion. (*See generally id.*) The court reviewed United States Magistrate Judge Brian A. Tsuchida’s report and recommendation (R&R (Dkt. # 15)), considered Mr. Spurlock’s objections thereto (Obj. (Dkt. # 18)), adopted the R&R, and dismissed the case without prejudice (4/25/17 Order (Dkt. # 21); Judgment (Dkt. # 22)).

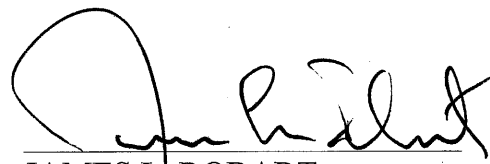
//

1 Liberally construing Mr. Spurlock's motion, he seeks either reconsideration of the court's
2 April 25, 2017, order or to vacate or amend the judgment.

3 Pursuant to Local Civil Rule 7(h)(2), a motion for reconsideration must be "filed
4 within fourteen days after the order to which it relates is filed." Local Rules W.D. Wash.
5 LCR 7(h)(2). Furthermore, "[m]otions for reconsideration are disfavored," and the court
6 "will ordinarily deny such motions in the absence of a showing of manifest error in the
7 prior ruling or a showing of new facts or legal authority which could not have been
8 brought to its attention earlier with reasonable diligence." Local Rules W.D. Wash. LCR
9 7(h)(1). Mr. Spurlock filed his motion for reconsideration more than 14 days after the
10 order to which it relates was filed, and he makes no showing of manifest error in the prior
11 ruling, new facts, or new legal authority. (*See generally* Mot.); *cf.* Local Rules W.D.
12 Wash. LCR 7(h). Accordingly, the court concludes that Mr. Spurlock's motion for
13 reconsideration is untimely and lacks merit.

14 Mr. Spurlock also fails to identify a basis to vacate or amend the judgment. *See*
15 Fed. R. Civ. P. 60. In its order of dismissal, the court conducted an independent review
16 of the challenged portions of Magistrate Judge Tsuchida's report and recommendation
17 and agreed with Magistrate Judge Tsuchida's analysis, reasoning, and conclusion. (*See*
18 4/25/17 Order at 2); *see also* Fed. R. Civ. P. 72(b). Having rejected both bases for relief
19 that Mr. Spurlock conceivably invokes, the court DENIES Mr. Spurlock's motion.

20 Dated this 7th day of June, 2017.

21 
22 JAMES L. ROBART
United States District Judge