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

8 DAPREI HARRIS,

9 Plaintiff,

10 v.

11 KING COUNTY, et al.,

12 Defendants.

Case No. 16-1793 RSM-BAT

**ORDER DENYING PLAINTIFF'S  
MOTION FOR  
RECONSIDERATION**

13 Plaintiff asks the Court to reconsider its Order (Dkt. 15) denying his motion for the  
14 appointment of counsel. Dkt. 18. Plaintiff states that an additional factor the Court should  
15 consider are his injuries, including a head trauma, which makes it difficult for him to concentrate  
16 for long periods of time and causes him severe headaches. Dkt. 18. He also states that he has  
17 shown a likelihood of success on the merits because defendants owe him a duty to keep him safe  
18 and they breached that duty. *Id.*

19 Motions for reconsideration are disfavored under the Court's local rules:

20 Motions for reconsideration are disfavored. The court will ordinarily deny  
21 such motions in the absence of a showing of manifest error in the prior ruling or a  
22 showing of new facts or legal authority which could not have been brought to its  
23 attention earlier with reasonable diligence.

Local Rules W.D. Wash. CR 7(h)(1). Such motions are an "extraordinary remedy," and "should  
not be granted, absent highly unusual circumstances, unless the district court is presented with

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION

1 newly discovered evidence, committed clear error, or if there is an intervening change in the  
2 controlling law.” *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000)  
3 (internal citation omitted).

4 In this case plaintiff fails to show manifest error in the Court’s prior ruling, or new facts  
5 or legal authority that would warrant reconsideration of the Court’s Order. Plaintiff’s claim that  
6 his medical condition hampers his ability to fully litigate his case is not supported by any  
7 medical evidence. Without medical evidence, the Court is unable to appropriately assess  
8 whether the appointment of counsel is warranted. In addition, plaintiff’s conclusory statement  
9 that defendants breached their duty to keep him safe is insufficient to show a likelihood of  
10 success on the merits.

11 Accordingly, plaintiffs’ motion for reconsideration (Dkt. 18) is **DENIED**.

12 DATED this 27th day of February, 2017.

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BRIAN A. TSUCHIDA  
15 United States Magistrate Judge  
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