

1 HONORABLE RICHARD A. JONES
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 PETER JAMES CARR,

11 Petitioner,

12 v.

13 RONALD HAYNES,

14 Respondent.

Case No. C17-1326 RAJ

ORDER

15 This matter comes before the Court on Petitioner’s “Motion for Reconsideration of
16 the Order Denying Petitioner’s Motions (Dkt. # 32, 33) and Declining to Order a
17 Certificate of Appealability (Dkt. # 34) Signed by the Honorable Richard A. Jones,”
18 (“Motion for Reconsideration”), and Petitioner’s “Motion Requesting That the Court
19 Respond to, in a Timely Manner, the Motion for Reconsideration” (“Motion Requesting
20 Response”). Dkt. ## 36, 39. For the following reasons, the Court **DENIES** both
21 motions.

22 Petitioner Peter James Carr (“Carr” or “Petitioner”) initially filed his Petition for a
23 Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. Dkt. ## 1, 6, 9. The Court referred
24 the petition to Magistrate Judge Mary Alice Theiler. After reviewing the record, the
25 Court adopted Judge Theiler’s Report and Recommendation denying Petitioner Carr’s §
26 2254 petition, dismissed it with prejudice, and declined to issue a certificate of
27 appealability. Dkt. # 30. The Clerk entered judgment and closed the case. Dkt. # 31.

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1 Petitioner then moved for reconsideration and to issue a certificate of
2 appealability. Dkt. ## 32, 33, 34. The Court denied Petitioner's motions and declined,
3 again, to issue a certificate of appealability. Dkt. # 35. Petitioner then filed the present
4 Motion for Reconsideration to request reconsideration of the Court's Order denying
5 Petitioner's first motion for reconsideration. Dkt. # 36. Petitioner also appealed this
6 Court's Order adopting Judge Theiler's R&R, but this appeal was dismissed in December
7 2018 due to failure to prosecute. Dkt. ## 37, 40. Petitioner also filed a Motion
8 Requesting Response that the Court respond to Petitioner's second Motion for
9 Reconsideration. Dkt. # 39.

10 The standard the Court applies is the same as it was for Petitioner's previous
11 motion for reconsideration. Motions for reconsideration are disfavored and will be
12 granted only upon a "showing of manifest error in the prior ruling" or "new facts or legal
13 authority which could not have been brought to [the court's] attention earlier with
14 reasonable diligence." Local Rule W.D. Wash. 7(h)(1).

15 Petitioner's new Motion for Reconsideration, which contains no new evidence,
16 again restates the same grounds already considered and rejected. Dkt. # 36. As the Court
17 observed in its previous Order, Petitioner again relies most strongly on his "alibi" and
18 insufficiency of the evidence defenses that were already fully briefed in earlier filings,
19 and fully addressed by Judge Theiler in her Report and Recommendation. *See* Dkt. # 35.
20 Petitioner has presented nothing to the Court that suffices to show error, or any other
21 reason to revisit its previous determinations. The Court will not entertain any further
22 attempts to change the Court's rulings via repetitive motions for reconsideration, given
23 that this case has been closed for some time and Petitioner has consistently failed to
24 identify any proper basis for relief.

Accordingly, the Court **DENIES** Petitioner's Motion for Reconsideration (Dkt. # 36) and **DENIES AS MOOT** Petitioner's Motion Requesting Response (Dkt. # 39). The Court will not accept any further filings in this closed case.

DATED this 11th day of March, 2019.

Richard D. Jones

The Honorable Richard A. Jones
United States District Judge