UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL HOLMBERG,

Plaintiff,

v.

BERNARD WARNER,

Defendant.

CASE NO. C13-5069 BHS

ORDER DENYING PLAINTIFF'S MOTIONS

This matter comes before the Court on Plaintiff Michael Holmberg's ("Holmberg") motion for extension of time (Dkt. 54) and motion for reconsideration (Dkt. 55).

On July 8, 2013, the Court adopted a Report and Recommendation dismissing Holmberg's claims because he failed to exhaust his administrative remedies. Dkt. 8. The next day, the Clerk entered judgment against Holmberg. Dkt. 9. On August 8, 2013, a Notice of Appeal was filed. Dkt. 45. On September 26, 2013, Holmberg filed a motion for relief from judgment and motion for indicative ruling requesting that the Court vacate its original judgment based on newly discovered evidence. Dkts. 48 & 49. On October

4, 2013, the Government responded. Dkt. 50. On October 10, 2013, the Court denied Holmberg's motions. Dkt. 52. On October 17, 2013, Holmberg filed a motion for extension of time to reply to the Government's response. Dkt. 54. On October 21, 2013, Holmberg filed a motion for reconsideration of the Court's order denying Holmberg's motions. Dkt. 55.

With regard to the motion for an extension of time, Holmberg requests additional time to file a reply because he has limited access to the law library. Dkt. 54. The Court, however, found that a reply brief was unnecessary and ruled on the motion before a reply brief was filed. Holmberg argues that the early ruling deprived him of his "right of free speech, redress and due process of law in relation to [his] motions, resulting in prejudice." Dkt. 55 at 1. These arguments are without merit. Holmberg essentially disagrees with the Court's dispositive ruling and final judgment. Holmberg may appeal these issues, which he has done. On the other hand, filing multiple frivolous post-judgment motions is an improper attack on the rulings and a waste of resources. Therefore the Court **DENIES** Holmberg's motions.

IT IS SO ORDERED.

Dated this 18th day of November, 2013.

BENJAMIN H. SETTLE
United States District Judge