

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DEANGELO A. GREEN,

Plaintiff,

V.<sub>3</sub>

MARGARET GILBERT, et al.,

Defendant.

CASE NO. 3:17-cv-05898-RBL-DWC

## ORDER DENYING “OBJECTION” AND MOTION FOR ASSISTANCE

The District Court has referred this 42 U.S.C. § 1983 action filed by Plaintiff DeAngelo en to United States Magistrate Judge David W. Christel. Before the Court is Plaintiff's ion to the Order Denying Motion to Add Exhibits (Dkt. 53) and Plaintiff's Motion for the s Assistance in Serving the Third Amended Complaint ("Motion for Assistance") (Dkt.

## I. “Objection” to Court’s Previous Order (Dkt. 53)

Plaintiff has filed a pleading he entitled an “Objection.” Dkt. 53. However, the body of this pleading appears to ask the Court to reconsider its earlier Order denying Plaintiff’s request to

1 attach exhibits to his amended complaints. Dkt. 50. Therefore, the Court interprets this  
2 “Objection” as a Motion for Reconsideration. Dkt. 53.

3 Pursuant to Local Civil Rule 7(h), motions for reconsideration are disfavored and will be  
4 denied absent a showing of manifest error or a showing of new facts or legal authority which  
5 could not have been presented earlier with reasonable diligence. Here, Plaintiff fails to show a  
6 manifest error in the Court’s prior ruling or new facts or legal authority which could not have  
7 been presented earlier. Rather, Plaintiff contends that he should be allowed to provide evidence  
8 to the Court in support of his Complaint and that he is merely trying to place the Court on notice  
9 of the exhibits he has acquired so far. Dkt. 53. However, the Court earlier ruled that, at this stage  
10 of the proceeding, where the Court has not even entered a Pretrial Scheduling Order, all that is  
11 required under the Federal Rules of Civil Procedure is a short and plain statement with a demand  
12 for relief. Dkt. 50; Fed. R. Civ. P. 8. Exhibits and other evidence on the record are not yet  
13 required for plaintiff to proceed with his Third Amended Complaint. Plaintiff has not otherwise  
14 shown why the Court requires additional evidence at this stage, nor how the Court’s previous  
15 determination was manifest error. Therefore, the Court denies Plaintiff’s Motion for  
16 Reconsideration. Dkt. 53.

17 **II. Motion for Assistance (Dkt. 55)**

18 Plaintiff has also filed a motion requesting the Court’s assistance in serving his Third  
19 Amended Complaint on Defendants. Dkt. 55. However, the Court has already entered an order of  
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1 service for the additional Defendants Plaintiff names in his Third Amended Complaint. Dkt. 63.  
2 Therefore, the Court denies Plaintiff Motion for Assistance (Dkt. 55) as moot.

3 **III. Conclusion**

4 For the reasons stated above, Plaintiff's "Objection" (Dkt. 53) and Motion for the Court's  
5 Assistance (Dkt. 55) are denied.

6 Dated this 1st day of June, 2018.

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10 David W. Christel  
11 United States Magistrate Judge  
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