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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

KEITH RUSSELL JUDD,  
  
Plaintiff,  
  
v.  
  
SECRETARY OF STATE OF  
NEVADA, et al.,  
  
Defendants.

2:11-CV-853 JCM (PAL)

**ORDER**

Presently before the court is plaintiff Keith Russell Judd’s motion for relief from judgment. Doc. #19. On December 20, 2011, this court found Mr. Judd’s complaint frivolous and dismissed the case. Doc. #12. With his instant motion, Mr. Judd is appearing to request that the court reconsider its dismissal order.

Motions for reconsideration “should not be granted, absent highly unusual circumstances.” *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000). “Reconsideration is appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law.” *School Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993); *Kona*, 229 F.3d at 890; *see also* FED. R. CIV. P. 59(e); FED. R. CIV. P. 60(b). A motion for reconsideration “may not be used to raise arguments or present evidence for the first time when they would reasonably have been raised earlier in the litigation.” *Kona*, 229 F.3d at 890.

1 Mr. Judd has failed to establish any of the three factors for reconsideration.  
2 Instead, approximately eight months after this court entered its order, Mr. Judd has filed a motion  
3 seeking to reinstate the lawsuit on the same grounds, and arguing the same theories, that were  
4 previously dismissed as frivolous. The court conducted a de novo review of Mr. Judd's contentions  
5 at the time it affirmed the magistrate's report and recommendation, has done so again, and continues  
6 to find Mr. Judd's contentions lacking "an arguable basis in law and fact."

7 Accordingly,

8 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's motion for relief  
9 (doc. #19) be, and the same hereby is, DENIED.

10 DATED August 6, 2012.

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UNITED STATES DISTRICT JUDGE

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