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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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11 KEITH RUSSELL JUDD,

No. C-11-2805 JW (PR)

12 Plaintiff,

**ORDER DENYING PLAINTIFF'S  
MOTION FOR RELIEF FROM  
JUDGMENT**

13 v.

14 SECRETARY OF STATE OF  
15 CALIFORNIA, et al.,

16 Defendants.

17 \_\_\_\_\_/ (Docket No. 16)

18 Petitioner's motion for relief from judgment (Docket No. 16) is DENIED for the  
19 reasons set forth below.

20 In the instant action, Plaintiff, a federal prisoner incarcerated at the Federal  
21 Correctional Institution in Texarkana, Texas, sought injunctive relief requiring the State of  
22 California to place him on the presidential primary ballot for 2012 and a declaratory judgment  
23 that California's election laws are unconstitutional because they do not allow convicted felons  
24 to vote. See Docket No. 1. The Court dismissed the action with prejudice on the grounds that  
25 it was frivolous, malicious and failed to state a claim upon which relief may be granted. See  
26 28 U.S.C. § 1915A(b). The Court further noted that Plaintiff had filed over 900 actions in  
27 federal courts all over the country. See Docket No. 9 at 3. Accordingly, the Court also  
28 denied Plaintiff's request to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(g). Id. at

United States District Court  
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1 5-6.

2 Petitioner now moves for relief from judgment under the Twenty-Fourth Amendment,  
3 to amend the court order to register all convicted and incarcerated felons, and for an order to  
4 remove Barack Obama from the State's 2012 presidential primary election ballot/caucus and  
5 award all delegated to himself, a Democratic presidential candidate.


6 Rule 60(b) provides for relief from a judgment where one or more of the following is  
7 shown: (1) mistake, inadvertence, surprise or excusable neglect; (2) newly discovered  
8 evidence which by due diligence could not have been discovered before the court's decision;  
9 (3) fraud by the adverse party; (4) the judgment is void; (5) the judgment has been satisfied;  
10 (6) any other reason justifying relief. Fed. R. Civ. P. 60(b); School Dist. No. 1J v. ACandS  
11 Inc., 5 F.3d 1255, 1263 (9th Cir. 1993). Mere dissatisfaction with the Court's order, or belief  
12 that the Court is wrong in its decision, are not grounds for relief under subparagraph (6) or  
13 any other provision of Rule 60(b). "[T]he major grounds that justify reconsideration involve  
14 an intervening change of controlling law, the availability of new evidence, or the need to  
15 correct a clear error or prevent manifest injustice." Pyramid Lake Paiute Tribe of Indians v.  
16 Hodel, 882 F.2d 364, 369 n.5 (9th Cir. 1989) (internal citations omitted).

17 The Court finds nothing in Plaintiff's allegations in his motion to reconsider that merits  
18 reconsideration. Plaintiff's arguments regarding a convicted felon's right to vote were  
19 previously addressed in the order of dismissal. Plaintiff's request that the Court order that he  
20 be awarded presidential delegates is not the subject of this action and do not justify  
21 reconsideration of the Court's Order of Dismissal. Similarly, President Obama's citizenship  
22 status is not at issue in this case.

23 This case remains closed.

24 IT IS SO ORDERED.

25  
26 DATED August 27, 2012

  
JAMES WARE  
United States District Chief Judge