

1 WRITTEN DECISION - NOT FOR PUBLICATION

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MAR 14 2006
CLERK, U.S. BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY

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8 UNITED STATES BANKRUPTCY COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 In re:) CASE NO. 96-12037-H7
11)
12 VERN D. BLANCHARD d/b/a) ORDER DENYING DEBTOR'S MOTION
13 AMERICAN MULTI-SYSTEMS,) FOR RECONSIDERATION
14 Debtor.)
15)

16 Debtor, pro se, submitted a Motion for Reconsideration of
17 Order Overruling Debtor's Objections to Claim #3 (filed by Apex
18 Wholesale, Inc.) on March 6, 2006.

19 Pursuant to this Court's internal practice and procedure, the
20 Court reviews a motion for reconsideration on the merits before the
21 motion is set for hearing. The Court has reviewed the debtor's
22 motion, memorandum of law and accompanying exhibits and finds it
23 inappropriate to set a hearing.

24 Debtor does not cite any Federal Rule of Bankruptcy Procedure
25 as the basis for his motion. If moving under Federal Rule
26 Bankruptcy Procedure 9023, which incorporates Federal Rule Civil
27 Procedure 59, debtor does not meet his burden of showing an
28 extraordinary reason for granting the Motion for Reconsideration.
There has been no new evidence that was previously unavailable, any
change in applicable law, nor a clear error of law in the prior

1 decision. Moreover, the Court cannot find any of the grounds set
2 forth in Federal Rule Bankruptcy Procedure 9024, which incorporates
3 Federal Rule Civil Procedure 60(b), would warrant relief.
4 Debtor's brief is nothing more than a recapitulation of the
5 arguments he already made in his December 7, 2005, brief. Debtor
6 does not suggest this Court overlooked any matters but rather uses
7 his motion for reconsideration in an attempt to relitigate
8 arguments that already have been decided by this Court.

9 The Court finds there are no grounds for the debtor's request
10 for reconsideration. No hearing will be held.

11 IT IS SO ORDERED.

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13 Dated: March 14, 2005

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15 _____
16 JOHN J. HARGROVE
17 UNITED STATES BANKRUPTCY JUDGE

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