

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Hunter v. Sacramento County

Hunter · No. 2:22-cv-01520-DJC-JDP · Decided May 27, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Plaintiff Brandon Eugene Hunter’s motions for relief from judgment or order under Federal Rule of Civil Procedure 60. The court held that Plaintiff’s reported health conditions and allegations of misconduct did not establish excusable neglect, fraud, misrepresentation, or misconduct warranting reconsideration. The action remains closed, and the court directed that no further filings be accepted in the closed case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Daniel J. Calabretta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 27, 2025
DOCKET	2:22-cv-01520-DJC-JDP
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 60 for relief from prior orders dismissing his civil-rights action for failure to prosecute, taxing costs against him for failure to appear at a deposition, and denying an earlier motion for reconsideration.
STANDARD OF REVIEW	Relief under Federal Rule of Civil Procedure 60(b) is limited; reconsideration generally requires newly discovered evidence, clear error, or an intervening change in controlling law. Excusable neglect is evaluated under the equitable four-factor Pioneer test.
PRECEDENTIAL VALUE	Nonprecedential district-court order; precedential status is unknown in the supplied metadata.
PARTIES	Brandon Eugene Hunter v. Sacramento County

TOPICS

- motion for reconsideration
- civil procedure
- prisoners rights
- section 1983
- costs

PRACTICE AREAS

civil rights

civil procedure

prisoner litigation

post-judgment relief

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to relief under Federal Rule of Civil Procedure 60(b)(1) based on excusable neglect for failing to respond to filings and court orders and failing to appear at a deposition.
2. Whether Plaintiff was entitled to relief under Rule 60(b)(3) based on alleged misconduct by opposing counsel or other opposing-party misconduct.
3. Whether Plaintiff's successive motions presented newly available grounds that could properly support reconsideration of the prior orders.

HOLDINGS

1. Plaintiff was not entitled to reconsideration because his asserted physical and mental-health difficulties and general distress did not establish excusable neglect under the Pioneer factors.
2. Plaintiff was not entitled to reconsideration based on alleged misconduct because his unsupported accusations against Defendants and defense counsel did not establish misconduct by an opposing party.
3. Plaintiff's subsequent motions were not a proper basis for reconsideration because the asserted information and arguments were available when he filed his initial motion for reconsideration.

KEY QUOTATIONS

"A motion for reconsideration should not be granted, absent highly unusual circumstances, unless the district court is presented with newly discovered evidence, committed clear error, or if there is an intervening change in the controlling law" (Order at 1)

"This is an equitable test that takes into account "all relevant circumstances surrounding the party's omission."" (Order at 2)

"Simply stated, the general distress reported by Plaintiff does not excuse his failure to respond to Defendant's filings or court orders requiring him to respond to Defendant's filings." (Order at 3)

FACTUAL BACKGROUND

Hunter was a state prisoner pursuing a civil-rights action against Sacramento County. He repeatedly failed to respond to Defendant's filings and court orders, did not object to findings and recommendations recommending dismissal, and failed to appear at a deposition, resulting in \$650 in taxed costs. In seeking Rule 60 relief, Hunter cited physical injuries, declining mental health, suicidal thoughts, conditions at the Sacramento County Main Jail, and alleged misconduct by defense counsel, but did not claim that he failed to receive the relevant filings or orders.

PROCEDURAL HISTORY

Hunter, a state prisoner proceeding pro se under 42 U.S.C. § 1983, filed this action in the Eastern District of California. After Hunter repeatedly failed to respond to Defendant's filings and court orders, the magistrate judge

recommended dismissal for failure to comply with court orders and failure to prosecute. The district court adopted that recommendation on January 10, 2025, closed the case, and later taxed \$650 in deposition-related costs. Hunter filed successive motions seeking reconsideration and relief from the judgment or orders. The court construed the motions as Rule 60 motions and denied them, ordering that the action remain closed and that no further filings be accepted.

DISPOSITION

other

CASES CITED

- Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co., 571 F.3d 873, 880 (9th Cir. 2009)
- Pioneer Investment Services Co. v. Brunswick Associates Limited Partnership, 507 U.S. 380 (1993)
- Briones v. Riviera Hotel & Casino, 116 F.3d 379, 381-82 (9th Cir. 1997)
- Allah v. Rutledge, No. EDCV171748JAKRAO, 2020 WL 8410446, at *4 (C.D. Cal. Aug. 24, 2020)

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