

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Broderick Warfield v. Solano County Superior Court, et al.

Warfield · No. 2:25-cv-00557-TLN-SCR · Decided November 3, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Broderick Warfield’s motion for reconsideration of the court’s prior order dismissing his action with prejudice. The court held that Warfield had not shown manifest error, newly discovered evidence, manifest injustice, or an intervening change in controlling law under Federal Rule of Civil Procedure 59(e). The court also denied his request for a protective order as unclear and denied the remaining pending motions as moot.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Troy L. Nunley
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 3, 2025
DOCKET	2:25-cv-00557-TLN-SCR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59(e) for reconsideration of the court's prior order dismissing the action with prejudice and requested a protective order.
STANDARD OF REVIEW	The court applied the discretionary Rule 59(e) standard, under which reconsideration generally requires newly discovered evidence, clear error, manifest injustice, or an intervening change in controlling law. The court also evaluated the protective-order request based on the clarity and sufficiency of the request.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district court order
PARTIES	Broderick Warfield v. Solano County Superior Court, et al.

TOPICS

- motion for reconsideration
- discovery dispute
- civil procedure

PRACTICE AREAS

Civil procedure

Federal courts

QUESTIONS PRESENTED

1. Whether Warfield established a valid ground under Federal Rule of Civil Procedure 59(e) for altering or amending the judgment dismissing his action with prejudice.
2. Whether Warfield was entitled to a protective order when his request was unclear and no protective order had been entered in the case.

HOLDINGS

1. Reconsideration was properly denied because Warfield did not establish a manifest error of law or fact, newly discovered evidence, manifest injustice, or an intervening change in controlling law.
2. The request for a protective order was denied because it was unclear what relief Warfield sought, no protective order had been entered in the case, and the court declined to reopen the action.

KEY QUOTATIONS

“A motion for reconsideration may not be used to raise arguments or present evidence for the first time when they could reasonably have been raised earlier in the litigation.” (at 2)

“The Court will not accept any further filings in this case.” (at 4)

FACTUAL BACKGROUND

Warfield's action involved approximately fifteen defendants, including law enforcement divisions, state court judges, county prosecutors, and public defenders, and concerned two 911 calls made in November 2011. Before judgment, Warfield filed several motions, including motions to seal and a joinder motion containing materials he later characterized as newly discovered evidence. After the action was dismissed with prejudice, he sought reconsideration based on allegedly overlooked exhibits and new evidence and requested that an unspecified umbrella protective order be extended to documents in other cases.

PROCEDURAL HISTORY

Warfield filed a complaint concerning two 911 calls made in November 2011 and later filed a first and second amended complaint without leave of court. A magistrate judge recommended dismissal without leave to amend, and the district court adopted that recommendation on May 30, 2025, dismissed the action with prejudice, and entered judgment. Warfield then moved for reconsideration and requested a protective order; the district court denied both requests and denied all other pending motions as moot.

DISPOSITION

other

CASES CITED

- Schroeder v. McDonald, 55 F.3d 454, 458–59 (9th Cir. 1995)
- Rishor v. Ferguson, 822 F.3d 482, 490 (9th Cir. 2016)
- Am. Ironworks & Erectors, Inc. v. N. Am. Const. Corp., 248 F.3d 892, 898–99 (9th Cir. 2001)
- Allstate Ins. Co. v. Herron, 634 F.3d 1101, 1111 (9th Cir. 2011)
- McDowell v. Calderon, 197 F.3d 1253, 1255 n.1 (9th Cir. 1999)
- Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co., 571 F.3d 873, 880 (9th Cir. 2009)
- Exxon Shipping Co. v. Baker, 554 U.S. 471, 485 n.5 (2008)

OPINION

Broderick Warfield v. Solano County Superior Court, et al.

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 BRODERICK WARFIELD,

12 Plaintiff, No. 2:25-cv-00557-TLN-SCR 13 14 v. ORDER

SOLANO COUNTY SUPERIOR COURT,

15 et al., 16 Defendants. 17 18 19 This matter is before the Court on pro se Plaintiff Broderick Warfield's ("Plaintiff") 20 Motion for Reconsideration of this Court's May 30, 2025 Order and request for a protective 21 order. (ECF No. 30.) No opposition has been filed. For the reasons set forth below, the Court 22 DENIES Plaintiff's motion and request. 23 /// 24 /// 25 /// 26 /// 27 /// 28 ///

1 I. FACTUAL AND PROCEDURAL BACKGROUND

2 On February 18, 2025, Plaintiff filed a complaint against approximately fifteen defendants 3 including law enforcement divisions, state court judges, county prosecutors, and public defenders, 4 concerning two phone calls made to 911 in November of 2011. (ECF No. 1 at 9.) Plaintiff filed a 5 First Amended Complaint on April 10, 2025, and a Second Amended Complaint on May 5, 2025, 6 without leave of court. (ECF Nos. 13, 20.) On May 6, 2025, the assigned magistrate judge issued 7 findings and recommendations, recommending Plaintiff's action be dismissed without leave to 8 amend.¹ (ECF No. 18.) The magistrate judge's findings and recommendations detailed the 9 procedural history of Plaintiff's previous actions on the same subject matter. (Id. at 3–4.) 10 Plaintiff filed objections to the findings and recommendations. (ECF No. 21.) He also filed 11 several motions, primarily motions to seal. (ECF Nos. 22, 23, 24, 26.) On May 30, 2025, this 12 Court adopted the magistrate judge's findings and recommendations in full, dismissed the action 13 with prejudice, and closed the case. (ECF No. 27.) On the same day, the Clerk of the Court 14 entered Judgment. (ECF No. 28.) Plaintiff now seeks reconsideration of this Court's May 30, 15 2025 Order (ECF No. 27) and seeks a protective order. (ECF No. 30.)

16 II. STANDARD OF LAW

17 The Court may grant reconsideration under Federal Rules of Civil Procedure (“Rule”) 18 59(e) or 60. See *Schroeder v. McDonald*, 55 F.3d 454, 458–59 (9th Cir. 1995). A motion to alter 19 or amend a judgment under Rule 59(e) must be filed no later than twenty-eight days after the 20 entry of judgment. Fed. R. Civ. P. 59(e). Therefore, a “motion for reconsideration” is treated as a 21 motion to alter or amend judgment under Rule 59(e) if it is filed within twenty-eight days of entry 22 of judgment; otherwise, it is treated as a Rule 60(b) motion for relief from judgment or order. 23 *Rishor v. Ferguson*, 822 F.3d 482, 490 (9th Cir. 2016); see *Am. Ironworks & Erectors, Inc. v. N. 24 Am. Const. Corp.*, 248 F.3d 892, 898–99 (9th Cir. 2001). Plaintiff’s motion was filed within 25 twenty-eight days of entry of judgment and is therefore construed as a motion to alter or amend 26 27 1 Along with issuing findings and recommendations, the magistrate judge granted Plaintiff’s motion to proceed in forma pauperis and denied Plaintiff’s thirteen motions to seal. (ECF No. 28 18.) 1 the judgment under Rule 59(e).

2 Rule 59(e) does not list specific grounds for a motion to amend or alter, therefore the 3 district court enjoys considerable discretion in granting or denying the motion. *Allstate Ins. Co. v. 4 Herron*, 634 F.3d 1101, 1111 (9th Cir. 2011) (citing *McDowell v. Calderon*, 197 F.3d 1253, 1255 5 n.1 (9th Cir. 1999)). Nevertheless, a motion for reconsideration under Rule 59(e) “should not be 6 granted, absent highly unusual circumstances, unless the district court is presented with newly 7 discovered evidence, committed clear error, or if there is an intervening change in the controlling 8 law.” *McDowell*, 197 F.3d at 1255 (citation omitted) (emphasis in original). Further, “[a] motion 9 for reconsideration may not be used to raise arguments or present evidence for the first time when 10 they could reasonably have been raised earlier in the litigation.” *Marlyn Nutraceuticals, Inc. v. 11 Mucos Pharma GmbH & Co.*, 571 F.3d 873, 880 (9th Cir. 2009) (citation omitted) (emphasis in 12 original). 13 “In general, there are four basic grounds upon which a Rule 59(e) motion may be granted: 14 (1) if such motion is necessary to correct manifest errors of law or fact upon which the judgment 15 rests; (2) if such motion is necessary to present newly discovered or previously unavailable 16 evidence; (3) if such motion is necessary to prevent manifest injustice; or (4) if the amendment is 17 justified by an intervening change in controlling law.” *Allstate Ins. Co.*, 634 F.3d at 1111.

18 III. ANALYSIS

19 Turning first to Plaintiff’s Motion for Reconsideration, Plaintiff appears to argue this 20 Court’s May 30, 2025 Order should be reconsidered because two of his exhibits were overlooked 21 and not properly considered. (ECF No. 30 at 2–3.) Specifically, Plaintiff contends Exhibit X-1 to 22 his Amended Motion to Seal (ECF No. 7) and Exhibit “Vital Statistics” to his Ex Parte Motion to 23 File Under Seal (ECF No. 12) were overlooked and should have been considered in the 24 magistrate judge’s findings and recommendations. (ECF No. 30 at 2–3.) Plaintiff later appears to 25 argue that newly discovered evidence supports his Motion for Reconsideration. (*Id.* at 5.) 26 Plaintiff describes the new evidence, “Exhibit US FISCAL REPORT” (ECF No. 22), as related to

27 the “newly added HIPPA compliance privacy security rule violation” in his Joinder Motion (ECF

28 No. 23). (ECF No. 30 at 5.) Plaintiff also mentions a newly added defendant, “defendant # 19.”
1 (Id.) 2 Plaintiff fails to provide sufficient facts or arguments to justify reconsideration of this 3
Court’s prior Order under Rule 59(e). See *Allstate Ins. Co.*, 634 F.3d at 1111 (listing the four 4
basic grounds upon which a Rule 59(e) motion may be granted). First, Plaintiff does not identify 5
any manifest error of law or fact with respect to the consideration afforded to the two exhibits 6
Plaintiff identifies in his motion. There is no indication that the magistrate judge did not consider 7
these exhibits. The magistrate judge’s order and findings and recommendations cite the motions 8
containing these exhibits. (See ECF No. 18 at 7–8.) 9 Second, Plaintiff does not present newly
discovered evidence. Plaintiff claims certain 10 exhibits are newly discovered evidence. (ECF No.
30 at 5 (referencing ECF Nos. 22, 23).) 11 However, these exhibits were submitted in support of
motions filed before the Court entered the 12 contested Order and Judgment. These exhibits
therefore cannot be considered newly discovered. 13 See *Exxon Shipping Co. v. Baker*, 554 U.S.
471, 485 n.5 (2008) (recognizing parties cannot use
14 Rule 59(e) to “present evidence that could have been raised prior to the entry of judgment”).

15 Finally, Plaintiff fails to demonstrate how reconsideration is necessary to prevent manifest 16
injustice or is justified by an intervening change in controlling law. Plaintiff also does not 17
describe how adding a new defendant is a permissible basis for reconsideration of the Court’s 18
Order. See *Allstate Ins. Co.*, 634 F.3d at 1111. For these reasons, the Court DENIES Plaintiff’s 19
Motion for Reconsideration. 20 The Court now addresses Plaintiff’s request for a protective order.
The Court has 21 reviewed Plaintiff’s request for a protective order and finds it is hard to discern
what relief 22 Plaintiff requests. (ECF No. 30 at 5–38.) Plaintiff asks the Court to extend an
“Umbrella 23 Extended Protective Order” to several outside cases, but no protective order has
been entered in 24 this case. (Id. at 7–8.) It is unclear to the Court what the “Umbrella Extended
Protective Order” 25 refers to. The Court is thus unable to evaluate Plaintiff’s request that said
protective order extend 26 to restrict access to other documents. (Id. at 11–12.) Because Plaintiff’s
request is unclear and 27 the Court declines to reopen Plaintiff’s case, the Court DENIES
Plaintiff’s request for a protective 28 order.

1 IV. CONCLUSION

2 For the foregoing reasons, the Court finds Plaintiff has not established sufficient grounds 3 |
under Rule 59(e) to seek reconsideration of this Court’s May 30, 2025 Order. Accordingly, 4 |
Plaintiff’s Motion for Reconsideration is DENIED. (ECF No. 30.) Further, Plaintiff’s request for 5
|| a protective order is DENIED. (/d.) All other pending motions and requests (ECF Nos. 33, 35, 6 |
38, 39, 40, 42, 45, 47, 48, 49, 50, 52, 53, 55, 56, 57) are DENIED as moot. The Court will not 7 |
accept any further filings in this case. 8 IT IS SO ORDERED. 9 | Date: November 3, 2025 Let
10 TROY L. NUNLEY

11 CHIEF UNITED STATES DISTRICT JUDGE

12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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