

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA**

Tyler Revels v. Holly, et al.

Revels · No. 23-cv-04404-JST · Decided November 26, 2025

OPINION

Revels

PER CURIAM.

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4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 TYLER REVELS, Case No. 23-cv-04404-JST 8 Plaintiff,

ORDER DENYING MOTION FOR

9 v. RECONSIDERATION

10 HOLLY, et al., Re: ECF No. 35 Defendants. 11 12 13 Plaintiff filed a pro se civil rights action pursuant to 42 U.S.C. § 1983, and the Court 14 granted summary judgment in favor of Defendants. For the reasons set forth below, the Court 15 DENIES Plaintiff's motion for reconsideration. ECF No. 35.

16 DISCUSSION

17 I. Background 18 In August 2023, Plaintiff filed this pro se civil rights action alleging that, while he was 19 detained at Santa Rita Jail in 2023, jail officials Tichia Holly and Gary Dean White violated his 20 First Amendment right to free exercise of his religion by denying him four video visits over a six- 21 day period because he was wearing religious headwear. See generally ECF No. 1. At the time 22 that Plaintiff filed this action, Plaintiff was no longer housed at Santa Rita Jail and was instead 23 housed at Marin County Jail. Id. On March 12, 2024, the Court ordered Plaintiff to provide the 24 Court with an updated address because the Court had learned that Plaintiff was no longer in the 25 custody of Marin County Jail. ECF No. 11. Plaintiff did not provide an updated address in 26 response to the order. The Court therefore dismissed this case on April 10, 2024, for failure to 27 provide an updated address as required by N.D. Cal. L.R. 3-11. ECF Nos. 16, 17. 1 Correctional Institution – Florence on March 25, 2024, and that his new address of record was FCI 2 Florence, P.O. Box. 6000, Florence, CO 81226. ECF No. 20. ECF No. 20. Court staff 3 mistakenly entered Plaintiff's address of record as Federal Correctional Institution, P.O. Box. 600, 4 Florence, CA 81226. 5 On October 25, 2024, the Court reopened this action at Plaintiff's request. ECF No. 23. 6 On January 24, 2025, Defendants filed a motion for summary judgment. ECF No. 25. 7 On April 23, 2025, Defendants notified the Court of the typographical error in Plaintiff's 8 address of record. Defendants also re-served their summary

judgment motion on Plaintiff at the 9 correct address. ECF Nos. 26, 27. 10 On May 12, 2025, in light of the Court's typographical error, the Court reset the briefing 11 schedule to allow Plaintiff time to respond to the summary judgment motion. ECF No. 28. In that 12 same order, the Court also ordered Defendants to serve courtesy copies of their prior filings (ECF 13 Nos. 10, 12) on Plaintiff at his corrected address, and ordered the Clerk to send Plaintiff a copy of 14 the docket sheet for this action, and courtesy copies of the court orders issued in this case (ECF 15 Nos. 6, 11, 13, 16, 17, 23). The Clerk corrected Plaintiff's address to reflect the address provided 16 by Plaintiff in ECF No. 20. 17 On May 19, 2025, Plaintiff filed an opposition to Defendants' summary judgment motion. 18 ECF No. 30. The return address on this pleading indicated that Plaintiff's address was USP 19 Florence – High Security, P.O. Box. 7000, Florence, CO 81226. Id. The Clerk updated the 20 address of record to reflect the return address listed on the pleading even though Plaintiff had not 21 formally notified the Court that he had a new address. 22 On June 2, 2025, Defendants filed a reply in support of their summary judgment motion. 23 ECF No. 31. Defendants served the reply on Plaintiff at FCI Florence, P.O. Box. 6000, Florence, 24 CO 81226. ECF No. 31-2. 25 On September 29, 2025, the Court granted summary judgment in favor of Defendants, 26 finding inter alia that Plaintiff had not demonstrated a triable issue of fact as to whether 27 Defendants substantially burdened his religious practice. ECF No. 32. The Court entered 1 on Plaintiff at FCI Florence, P.O. Box. 6000, Florence, CO 81226. ECF No. 34. 2 II. Motion for Reconsideration 3 On October 24, 2025,¹ Plaintiff sent to the Court a pleading titled "Motion for 4 Reconsideration." ECF No. 35. Plaintiff stated that Defendants served him documents at an 5 incorrect address despite knowing Plaintiff's correct address. Plaintiff argued that the Court 6 "should grant Tyler Revels motion for reconsideration due to the following errors made by the 7 Defendants." ECF No. 35 at 1. The "errors" presumably refers to Defendants serving Plaintiff at 8 the incorrect address. Plaintiff also requested that the Court send him the docket sheet for this 9 case so that he could request prior motions filed by Defendants that were sent to the wrong 10 address. ECF No. 35 at 1. The motion does not specify the order for which Plaintiff seeks 11 reconsideration. The Court presumes that Plaintiff seeks reconsideration of the Court's order 12 granting summary judgment in favor of Defendants. 13 Defendants oppose Plaintiff's motion for reconsideration. Defendants argue that Plaintiff 14 has failed to demonstrate that he is entitled to reconsideration of the Court's grant of summary 15 judgment under Fed. R. Civ. P. 59(e); that Plaintiff appears to have received the summary 16 judgment motion as he filed an opposition; that there is no indication that Plaintiff did not receive 17 the pleadings and court orders sent to him at FCI Florence, P.O. Box. 6000, Florence, CO 81226; 18 and that Plaintiff was not prejudiced by Defendants sending pleadings to P.O. Box 6000 rather 19 than P.O. Box 7000. ECF No. 36. 20 The Court DENIES Plaintiff's motion for reconsideration. ECF No. 35. Where the court's 21 ruling has resulted in a final judgment or order (e.g., after dismissal or summary

judgment 22 motion), a motion for reconsideration may be based on Fed. R. Civ. P. 59(e) (motion to alter or 23 amend judgment). See Fed. R. Civ. P. 59(e). “In general, there are four basic grounds upon which 24 1 Plaintiff’s motion for reconsideration is dated October 19, 2025. ECF No. 35 at 1. According to 25 the envelope, the motion was received by prison authorities for mailing on October 24, 2025. ECF No. 35 at 4. The Court received the motion on November 3, 2025 and docketed it on November 6, 26 2025. ECF No. 35 at 4. The mailbox rule provides that Plaintiff’s motion is deemed filed as of October 24, 2025, the date he delivered it to prison authorities for forwarding to the court clerk. 27 *Douglas v. Noelle*, 567 F.3d 1103, 1107 (9th Cir. 2009); see also *Houston v. Lack*, 487 U.S. 266, 1 a Rule 59(e) motion may be granted: (1) if such motion is necessary to correct manifest errors of 2 || law or fact upon which the judgment rests; (2) if such motion is necessary to present newly 3 || discovered or previously unavailable evidence; (3) if such motion is necessary to prevent manifest 4 || injustice; or (4) if the amendment is justified by an intervening change in controlling law.” 5 || *Allstate Ins. Co. v. Herron*, 634 F.3d 1101, 1111 (9th Cir. 2011). Amending a judgment after 6 || entry is an extraordinary remedy which should be used sparingly. *McDowell v. Calderon*, 197 4 F.3d 1253, 1255 n. 1 (9th Cir.1999) (en banc) (per curiam). g Plaintiff has not argued, much less demonstrated, that any of these four grounds—manifest 9 errors of law or fact, newly discovered or previously unavailable evidence, manifest injustice, or 10 intervening change in controlling law—applies here. Defendants mistakenly mailing their pleadings to P.O. Box 6000 instead of P.O. Box 7000 does not constitute manifest injustice because Plaintiff appears to have received these pleadings. Most importantly, Plaintiff received Defendants’ summary judgment motion, ECF No. 25, as evinced by Plaintiff’s detailed opposition to the summary judgment motion, ECF No. 30. Nothing in the record supports a finding that S Plaintiff is entitled to the “extraordinary remedy” of reconsideration of the Court’s order granting 1S summary judgment in favor of Defendants.

A 16 CONCLUSION

M7 For the reasons set forth above, the Court DENIES Plaintiff’s motion for reconsideration. a 18 ECF No. 35. This case remains closed. The Clerk is directed to send Plaintiff a courtesy copy of 19 the docket sheet for this case. 20 This order terminates ECF No. 35. 71 IT IS SO ORDERED. 22 Dated: November 26, 2025 .

JON S. TIGA

United States District Judge 25 26 27 28