

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTIAN ROBERT ORR,

Defendant.

Case No. 16-20009

MEMORANDUM & ORDER

This matter comes before the court upon defendant Christian Robert Orr's Motion to Reconsider (Doc 44). Defendant seeks reconsideration of the court's August 8, 2018 Memorandum and Order (Doc. 43) denying as moot plaintiff's request for the court to clarify whether his current federal sentence was to run consecutively or concurrently to a state sentence he received.

I. Legal Standards

A. Pro Se Litigants

Where a party proceeds pro se, the court construes his or her filings liberally and holds them to less stringent standards than pleadings filed by lawyers. *Barnett v. Corr. Corp of Am.*, 441 F. App'x 600, 601 (10th Cir. 2011). Pro se parties are nevertheless required to follow the Federal and Local Rules of practice and the court does not assume the role of advocating for pro se parties. *United States v. Porath*, 553 F. App'x 802, 803 (10th Cir. 2014).

B. Motions for Reconsideration

Local Rule 7.3 provides that "[a] motion to reconsider must be based on: (1) an intervening change in controlling law; (2) the availability of new evidence; or (3) the need to correct clear error or prevent manifest injustice."

II. Discussion

Liberally construed, defendant's motion seeks reconsideration to avoid clear error or to prevent manifest injustice. He does not cite an intervening change in law or new evidence. But defendant also does not make any new arguments. If anything, he attempts to respond to the court's conclusions, explaining his disagreement with the court's ultimate decision that defendant's motion was moot. The court already considered and decided this issue. Defendant's dissatisfaction with the court's decision is not a basis for reconsideration. Absent new evidence, a change in the law, evidence of clear error, or of manifest injustice, the court will not reconsider defendant's motion. His motion for reconsideration is therefore denied.

IT IS THEREFORE ORDERED that defendant's Motion for Reconsideration (Doc. 44) is denied as moot.

Dated September 5, 2018, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge