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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 MUHAMMED OZBALIK,
11
12 Plaintiff,

Case No.: 3:26-cv-02961-JES-SBC

13 vs.

MOTION TO RECONSIDER

14 LaRose Senior Warden et al,
15 Respondents.

16 Petitioner, Muhammed Ozbalik, by and through his attorney of record, asks the
17 court to reconsider its dismissal of his Petition, entered yesterday, 06/01/2026,
18 based on the following:

19 At approximately 2:06 p.m. on 06/01/2026, the Petitioner filed his First
20 Amended Petition. See ECF 8.

21
22 Shortly thereafter, the court entered its Order Dismissing Petition. See ECF
23 9. However, the docket entry and the order only reference ECF 1 the original
24 petition and make no mention of the First Amended Petition.

25
26 Petitioner requests the Court to reconsider its Order and allow the First
27 Amended Petition to be considered. Petitioner believes that the First Amended
28

1 Petition does address issues that were not previously addressed and is not
2 duplicative. This also will obviate the need for yet a third Petition to be entered and
3
4 considered by the parties.

5 Wherefore, the Petitioner requests the court to reconsider its Order
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7 Dismissing Petition and issue a briefing schedule for the First Amended Petition.

8 Respectfully Submitted,
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11 June 2, 2026

/s/Brian J. McGoldrick
12 Brian J. McGoldrick, Esq.
13 Attorney for Petitioner
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PROOF OF SERVICE

I, Brian J. McGoldrick, CERTIFY

I am over the age of 18 and not a party to this matter. My business address is 4916
Del Mar Avenue, San Diego, CA 92107. On June 2, 2026, I served a copy of this

MOTION TO RECONSIDER

by the method and to the parties listed below:

On June 2, 2026, I accessed the electronic mailing list for CM/ECF users in this
case and representatives of all parties are CM/ECF users and are noticed as follows:

- **Camille Savedra**

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