

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

RUSSELL L. PERILLO,
Plaintiff,

v.

BRIAN K. MURPHY, et al.,
Defendants.

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CASE NO. 3:10-cv-263 (VLB)

July 20, 2011

**RULING DENYING PLAINTIFF'S [26] MOTION FOR RECONSIDERATION ON [24]
AND [27] MOTION FOR EXTENSION OF TIME**

On June 17, 2011, the court denied the plaintiff's motion for appointment of counsel because he failed to show that he had made any attempts to obtain counsel on his own. The plaintiff has filed a motion for reconsideration in which he describes his efforts to obtain legal assistance.

To prevail on a motion for reconsideration, the plaintiff must show that the court has overlooked controlling decisions or facts that, had they been considered, might reasonably have altered the result. See Schrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995). In his motion, the plaintiff presents new information for the court's consideration. Because this information was not available to the court when it reviewed the motion for appointment of counsel, it is not the proper subject of a motion for reconsideration. The court, therefore, will consider the motion as a second motion for appointment of counsel.

When deciding whether to appoint counsel, the district court must "determine whether the indigent's position seems likely to be of substance." Hodge v. Police Officers, 802 F.2d 58, 61 (2d Cir. 1986), *cert. denied*, 502 U.S. 996

