

1 The motions presented for reconsideration are: (1) Defendant's Motion for Continuance (filed
2 September 9, 2002); (2) Defendant's Motion for Bill of Particulars (filed August 28, 2002); and (3)
3 Defendant's Motion Re: Evidence at Preliminary Examination (filed September 5, 2002).

4 1. Motion for Continuance

5 The Motion for Continuance was denied as untimely and since this case is now before another Judge,
6 there is nothing before this Court to continue. Therefore, the motion to reconsider the Court's ruling on the
7 motion for continuance is moot.

8 2. Motions for Bill of Particulars and Evidence at Preliminary Examination

9 With respect to the defendant's Motion for Reconsideration of the Court's ruling on his Motion for Bill
10 of Particulars and Motion Re: Evidence of Preliminary Examination, the Court allowed Defendant to present
11 oral argument on October 1, to supplement his oral argument of September 10, 2002. However, the Court,
12 after hearing Defendant's arguments and reviewing the file in this matter, is not persuaded that it should change,
13 alter or amend its decision denying the motion on September 20, 2002.

14 This Court, like many courts, does not readily entertain motions to reconsider its orders in criminal
15 matters. Although this Court has "inherent authority" to decide motions for reconsideration or rehearing of
16 orders in criminal proceedings, even when there is no statute authorizing such motions," *United States v.*
17 *Barragan-Mendoza*, 174 F.3d 1024, 1028 (9th Cir. 1999)(citations omitted), this Court will exercise its
18 authority to reconsider orders in criminal proceedings only in rare instances.

19
20 **SO ORDERED** this 2nd day of October 2002.

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23 /s/ David A. Wiseman
24 DAVID A. WISEMAN, Associate Judge