

***Denise Emerson v. William Powers III* 15CVP0299**

**Re: Defendant's Motion for Reconsideration; and  
Defendant's Motion for New Hearing**

**Date: November 7, 2017**

On July 24, 2017, the Court granted Denise Emerson (Plaintiff) a civil harassment restraining order against her neighbor William Powers III (Defendant). On August 8, 2017, Defendant filed a motion for reconsideration of the ruling. On August 23, 2017, Defendant then filed his notice of appeal. Lastly, on August 28, 2017, Defendant filed a motion for new hearing to vacate the ruling. The motion for reconsideration and motion for new hearing were originally set for September 19, 2017, but continued because of Defendant's illness.

The filing of the appeal divests this Court of jurisdiction to adjudicate a motion for reconsideration. [*Young v. Tri-City Healthcare Dist.* (2012) 210 CA4th 35, 51-53, 148 CR3d 119, 130-132]

The motion for new hearing to vacate the ruling is also denied as it is essentially a motion for reconsideration. Even so, there are no legal or factual grounds for the Court to reconsider, modify, vacate or rehear the July 24, 2017 ruling in this matter.