

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 10-12437  
Non-Argument Calendar

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FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT OCT 15, 2010 JOHN LEY CLERK
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D.C. Docket No. 1:05-cv-01930-GET

PHILLIP R. NEELY,

Plaintiff - Appellant,

versus

CITY OF RIVERDALE,  
IRIS JESSIE,  
Individually and in her official capacity as city manager,  
THETUS A. KNOX,  
individually and in her official capacity as city police chief,  
T. MICHAEL MARTIN,  
individually and in his official capacity as city hearing officer,  
WANDA WALLACE,  
individually and in her official capacity as city councilwoman,

Defendants - Appellees.

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Appeal from the United States District Court  
for the Northern District of Georgia

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(October 15, 2010)

Before MARCUS, PRYOR and ANDERSON, Circuit Judges.

PER CURIAM:

Phillip Neely appeals the denial of his motion to vacate an order that imposed sanctions against his attorney, Michael King. Fed. R. Civ. P. 60(b). We affirm.

The district court did not abuse its discretion by denying Neely's motion. Neely argues that he and King were denied due process, but King was given notice of the charge of misconduct and defended that misconduct in his objection to a recommendation to grant the motion to impose sanctions. See Attwood v. Singletary, 105 F.3d 610, 613 (11th Cir. 1997). Neely also argues that the sanctions are excessive, but he failed to object to the amount requested by the City or the finding that the amount was reasonable. Neely's objection "comes too late." Stuart I. Levin & Assocs., P.A. v. Rogers, 156 F.3d 1135, 1142 (11th Cir. 1998).

We **AFFIRM** the denial of Neely's motion to vacate.