

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7549

JEFFREY A. PLEASANT,

Petitioner - Appellant,

v.

HAROLD W. CLARKE, Director, Virginia Dept. of Corrections,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, Senior District Judge. (3:15-cv-00218-REP-RCY)

Submitted: February 26, 2016

Decided: March 11, 2016

Before WILKINSON, KING, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Jeffrey A. Pleasant, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jeffrey A. Pleasant appeals the district court's order denying his Fed. R. Civ. P. 59(e) motion for reconsideration of a prior order.* A district court may grant a Rule 59(e) motion only for the following limited reasons: "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice." Mayfield v. Nat'l Ass'n for Stock Car Auto Racing, Inc., 674 F.3d 369, 378 (4th Cir. 2012) (internal quotation marks omitted). We review the district court's denial of a Rule 59(e) motion for abuse of discretion. Id.

We have reviewed the record and conclude that Pleasant's arguments are without merit, as his claims either fail to establish that the district court abused its discretion or rely on waived arguments. Accordingly, although we grant leave to proceed in forma pauperis, we affirm the district court's order. We dismiss without prejudice Pleasant's premature petition for rehearing. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials

* Pleasant separately appealed, and we affirmed, the district court's underlying order. Pleasant v. Clarke, 620 F. App'x 197 (4th Cir. 2015) (No. 15-6731).

before this court and argument would not aid the decisional process.

AFFIRMED