

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

J.S., III, a minor, by and through J.S., Jr.)
and M.S., his parents and next friends,)
)
 Plaintiff,)
)
)
v.) Civil Action No. 1:14cv1196-WHA
)
)
THE HOUSTON COUNTY BOARD OF,)
EDUCATION,) (wo)
)
 Defendant.)

MEMORANDUM OPINION AND ORDER

This cause is before the court on the Plaintiff's Motion to Alter or Amend Judgment (Doc. #40), and the Defendant's brief in response.

The Plaintiff does not take issue with the court's discussion of legal principles in granting summary judgment to the Defendant on August 3, 2015 (Doc. #40 at p.2), but instead asks the court to reconsider the decision in light of a Letter of Finding issued on July 15, 2015, and the Eleventh Circuit's decision in *Hill v. Cundiff*, 797 F.3d 948 (11th Cir. 2015), decided after the issuance of the court's Memorandum Opinion and Order. The Defendant opposes the motion.

District courts are necessarily afforded substantial discretion in ruling on motions for reconsideration. *Sussman v. Salem, Saxon & Nielsen*, 153 F.R.D. 689 (M.D. Fla. 1994). Motions for reconsideration generally serve a very narrow function: they are designed solely to correct manifest errors of law or fact or to present newly discovered evidence that could not have been discovered at the time of the original motion. See Fed. R. Civ. P. 60.

The Plaintiff's new evidentiary submission, the Letter of Finding, was available at the time of the court's decision. Even if the court were to consider it, however, and considering the

analysis in *Hill*, upon careful review of its previous Memorandum Opinion and Order in light of the Plaintiff's motion, and the opposition to the motion, the court cannot conclude that the Plaintiff's new submissions alter the court's previous analysis or require a denial of summary judgment.

Accordingly, the Motion to Alter or Amend Judgment is due to be and is hereby
ORDERED DENIED.

Done this 25th day of September, 2015.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE