

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

ANTHONY PERRIE TURNER,	)	
# 12902-002,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:13-CV-734-WKW
	)	[WO]
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

**ORDER**

Before the court is Plaintiff's *pro se* Motion for Consideration, which has been construed as a motion to amend the March 23, 2015 judgment. (Doc. # 23.) In his motion, Plaintiff makes essentially the same equitable tolling arguments that have been considered and rejected twice. First, the Magistrate Judge rejected Plaintiff's equitable tolling assertions in the Recommendation. (Doc. # 19.) Second, the court entered an Order overruling Plaintiff's objection to the Recommendation, which raised the same equitable tolling arguments. (Doc. # 21.) Plaintiff's motion is due to be denied as untimely and on the merits.<sup>1</sup>

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<sup>1</sup> Plaintiff has not asserted grounds that warrant relief from the judgment under Rule 59 or Rule 60 of the Federal Rules of Civil Procedure. Additionally, a motion pursuant to Rule 59 must be filed within 28 days of the entry of judgment.

Accordingly, it is ORDERED that Plaintiff's motion to amend the judgment (Doc. # 23) is DENIED.

DONE this 15th day of August, 2016.

/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE