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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 William Kenneth Qualls,
10 Petitioner,
11 v.
12 Charles L. Ryan, et al.,
13 Respondents.
14

No. CV 13-01288-PHX-JAT

ORDER

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16 On May 8, 2015, this Court denied the Petition for Writ of Habeas Corpus in this
17 case. Petitioner appealed. The Court of Appeals denied a certificate of appealability on
18 September 25, 2015.

19 On August 17, 2016, Petitioner filed a motion to exceed page limit and lodged a
20 motion for relief from judgment under Federal Rule of Civil Procedure 60(b)(6). In his
21 lodged 77 page motion, Petitioner argues 10 errors in this Court's original decision. Doc.
22 149 at 8-9.

23 Federal Rule of Civil Procedure 60(b)(6) permits this Court to set aside a final
24 judgment for "any other reason that justifies relief." However, "Rule 60(b)(6) should be
25 'used sparingly as an equitable remedy to prevent manifest injustice'" and should be used
26 only in "'extraordinary circumstances to prevent or correct an erroneous judgment.'" *In*
27 *re Int'l Fibercom, Inc.*, 503 F.3d 933, 941 (9th Cir. 2007) (citing *United States v.*
28 *Washington*, 394 F.3d 1152, 1157 (9th Cir. 2005)).

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In this case, Petitioner is effectively rearguing the merits of his case, although he has recast those arguments as errors in this Court’s opinion. None of Petitioner’s claims of error justify relief under Rule 60(b)(6).

Accordingly,

IT IS ORDERED that Petitioner’s motion to exceed pages (Doc. 148) is granted to the extent that the Clerk of the Court shall deem filed the Motion currently lodged at Doc. 149.

IT IS FURTHER ORDERED that the Motion for Relief from Judgment (Doc. 149) is denied.

Dated this 31st day of October, 2016.

