

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
EL DORADO DIVISION

BENJAMIN MUHAMMAD JONES

PLAINTIFF

V.

CASE NO. 12-CV-1071

THOMAS MILLER, *et al.*

DEFENDANTS

BENJAMIN MUHAMMAD JONES

PLAINTIFF

V.

CASE NO. 12-CV-1091

MIKE JOLLY, *et al.*

DEFENDANTS

**ORDER**

Before the Court are Plaintiff's Motions for Reconsideration. ECF Nos. 60 and 96. Plaintiff requests that the Court reconsider the dismissal of several Separate Defendants from this lawsuit. ECF Nos. 11, 20, 56, 58 Separate Defendant Mike Jolly has responded to the motion. ECF No. 97. The Court finds that the matter is ripe for its consideration.

“Motions for reconsideration serve a limited function: to correct manifest errors of law or fact or to present newly discovered evidence.” *Hagerman v. Yukon Energy Corp.*, 839 F.2d 407, 414 (8th Cir. 1988) (quoting *Rothwell Cotton Co. v. Rosenthal & Co.*, 827 F.2d 246 (7th Cir. 1987)); *see* Fed R. Civ. P. 59(e). Fed. R. Civ. P. 59(e) “permits a court to alter or amend a judgment, but it ‘may not be used to relitigate old matters, or to raise arguments or present evidence that could have been raised prior to the entry of judgment.’” *Exxon Shipping Co. V. Baker*, 554 U.S. 471, 485 n. 5,

128 S. Ct. 2605, 171 L. Ed. 2d 570 (2008) (quoting 11 C. Wright & A. Miller, *Federal Practice and Procedure* § 2810.1, pp. 127-28 (2d ed. 1995)).

The Court has carefully reviewed Plaintiff's Motions for Reconsideration and finds that there is no justification for granting a Rule 59(e) motion to alter or amend the judgment. Plaintiff has failed to present any reason why he is entitled to relief under Rule 59(e), and this rule is not designed to provide an avenue for disappointed plaintiffs to relitigate old matters. Under such circumstances, relief under Rule 59(e) is unwarranted. Plaintiff's Motions for Reconsideration (ECF Nos. 60 and 96) are **DENIED**.

**IT IS SO ORDERED**, this 3rd day of April, 2015.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge