

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

DALE B. ADAMS

PLAINTIFF

v.

Case No. 3:12-CV-03078

UNITED STATES DEPARTMENT OF LABOR/OSHA;
and HILDA SOLIS, U.S. Secretary of Labor

DEFENDANTS

ORDER

Currently before the Court are Plaintiff's motion (Doc. 7) for reconsideration.

Under Rule 60(b), a party may be relieved from an order of the Court under certain enumerated circumstances, including the existence of "mistake, inadvertence, surprise, or excusable neglect" or "any other reason that justifies relief." Fed. R. Civ. P. 60(b)(1) and (6). Rule 60(b) "provides for extraordinary relief which may be granted only upon an adequate showing of exceptional circumstances." *United States v. Young*, 806 F.2d 805, 806 (8th Cir. 1986). None of the circumstances envisioned by Rule 60(b) for finding that reconsideration may be warranted are present in this case, and relief is not otherwise justified. The Court addressed Plaintiff's earlier objections to the magistrate's report and recommendation in its order (Doc. 6) adopting the report and recommendations. Plaintiff's motion sets forth no comprehensible, new, compelling grounds for the Court to amend that order.

IT IS THEREFORE ORDERED that Plaintiff's motion (Doc. 7) for reconsideration is DENIED.

If Plaintiff wishes to continue pursuing this case in this Court, he is ordered to pay a \$350.00

filing fee¹ by Monday, September 23, 2013. Plaintiff is advised that if he fails to comply with this Order by that deadline, his Complaint will be dismissed without prejudice for failure to obey a court order. No further motions for reconsideration will be considered in this case on this issue. Any such motions that are filed will be summarily denied.

IT IS SO ORDERED this 16th day of September, 2013.

P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE

¹ Although the fee is currently \$400, the Court will order Plaintiff to pay the fee in effect at the time he filed his complaint in this case.