

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

DELSHON MARICE TYOUS, SR.

PLAINTIFF

vs.

Civil No. 4:17-cv-04070

NANCY A. BERRYHILL  
Acting Commissioner, Social Security Administration

DEFENDANT

**ORDER**

Before the Court is Plaintiff's Motion to Reconsider Judgment. ECF No. 16. Plaintiff filed this Motion *pro se* on September 28, 2018. *Id.* Upon review of this Motion, the Court finds it should be **DENIED**.

Notably, the Court finds Plaintiff is seeking relief pursuant to Rule 59(e) of the Federal Rules of Civil Procedure. Pursuant to Rule 59(e), such a motion *must be filed* "no later than 28 days after the entry of the judgment." In the present action, Plaintiff's judgment was entered on June 28, 2018. Plaintiff, however, did not file this Motion until September 28, 2018, three months after the judgment was entered. Pursuant to Rule 59(e), such a date is well outside the time-period for filing this Rule 59(e) Motion. Accordingly, the Court **DENIES** this Motion as untimely.

**ENTERED this 18th day of October 2018.**

/s/ Barry A. Bryant  
HON. BARRY A. BRYANT  
U.S. MAGISTRATE JUDGE