

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 11-cv-01756-DME-MJW

MARCUS LELAND FREEMAN,

Plaintiff,

v.

WOOLSTON, Vocational Instructor,
LIKENS, Educational Department,

Defendants.

ORDER DENYING RECONSIDERATION

This matter comes before the Court on Plaintiff Marcus Freeman's "Motion to Alter or Amend" this Court's March 28, 2013 order (Doc. 198) to the extent it granted Defendant Woolston summary judgment on Freeman's second claim for relief. (Doc. 212.) The Court DENIES that motion.¹

Having considered Freeman's motion to alter or amend, as well as the previously filed summary judgment pleadings and the videotape of the December 14, 2010 incident, the Court is not persuaded that its order granting Defendant Woolston summary judgment on Freeman's second claim was clearly in error. See Rodeman v. Foster, 767 F. Supp. 2d 1176, 1188-89 (D. Colo. 2011). Nor has Freeman directed the Court's attention to any new evidence or legal authority that has emerged since the

¹ Although the time for Defendant Woolston to respond to Freeman's motion for reconsideration has not yet passed, the Court can "rule on a motion at any time after it is filed." D.C.COLO.LCivR 7.1(C).

Court granted Woolston summary judgment. See id. Therefore, the Court DENIES Freeman's motion to alter and amend the Court's summary judgment order. (Doc. 212.)

Dated this 23rd day of April, 2013.

BY THE COURT:

s/ David M. Ebel

U. S. CIRCUIT COURT JUDGE