

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

GARY DAMATO

v.

WARDEN MURPHY

PRISONER

Case No. 3:08cv855 (SRU) (WIG)

RULING AND ORDER

On August 12, 2009, the court, Underhill, U.S.D.J., denied the petition for writ of habeas corpus and ordered the case closed. Judgment entered in favor of the respondent on August 14, 2009. Now pending are two motions for clarification, a motion for appointment of counsel, two motions to supplement a previously filed motion for reconsideration and a ninth motion seeking reconsideration of the August 2009 judgment.

The Court cannot discern what relief petitioner seeks in his first motion for clarification [Doc. #164]. Accordingly, the motion is denied.

In the second motion for clarification, petitioner asks the meaning of the Court's granting his previous motion to file a supplement to his motion for reconsideration. The motion for clarification [Doc. #165] is granted. Although the Court permitted petitioner to supplement the prior motion for reconsideration, the Court denied the motion as untimely. See

Doc. #158.

Petitioner asks the Court to appoint counsel to represent him in this action. This case has been closed for over one year. The Court does not appoint counsel in closed cases. Petitioner's motion [Doc. #166] is denied.

Petitioner moves to add citations to document #157 and to supplement document #157. The referenced document was a supplement to a motion for reconsideration that was denied in October 2010. Because the Court already has ruled on the motion, it will not consider any additional citations or arguments regarding that motion. The motions [Docs. ## 167, 168] are denied.

Finally, petitioner files a ninth motion for reconsideration of the judgment in this case. The time for filing a motion for reconsideration or a motion for relief from judgment has long passed. Motions for reconsideration must be filed within fourteen days. See D. Conn. L. Civ. R. 7(c)1. In addition, if the motion is considered a motion for relief from judgment based on the negligent failure to include all arguments in the prior motions, the motion must be filed within one year of judgment. See Fed. R. Civ. P. 60(c)(1). The motion for reconsideration [Doc. #169] is denied.

In conclusion, petitioner's motion for clarification [**Doc. #165**] is **GRANTED** and his remaining motions [**Docs. ##164, 166,**

167, 168, 169] are **DENIED**.

**SO ORDERED** at Bridgeport, Connecticut this 17th day of  
December 2010.

/s/ William I. Garfinkel  
WILLIAM I. GARFINKEL  
UNITED STATES MAGISTRATE JUDGE