

could not have been found by due diligence.” *Space Hunters, Inc. v. United States*, 500 F. App’x 76, 81 (2d Cir. 2012). A motion for reconsideration may not be used to relitigate an issue the court already has decided. See *Shrader*, 70 F.3d at 257; *SPGGC, Inc. v. Blumenthal*, 408 F. Supp. 2d 87, 91 (D. Conn. 2006), *aff’d in part and vacated in part on other grounds*, 505 F.3d 183 (2d Cir. 2007).

Plaintiff argues that the case was dismissed under the three strikes provision of the Prison Litigation Reform Act, 28 U.S.C. § 1915(g). Plaintiff is mistaken. This case was decided on the merits. See Doc. #39. As Plaintiff identifies no law or facts that the Court overlooked in the decision granting Defendants’ motion for summary judgment, reconsideration is not warranted.

As judgment has entered, the Court also considers Plaintiff’s motion under Federal Rule of Civil Procedure 60(b), which identifies several reasons for which a party may be relieved from judgment. The only applicable section of the rule would be in section 60(b)(6), the catch-all provision which encompasses any reason justifying relief from judgment. To prevail on a motion to reopen judgment, Plaintiff must demonstrate the existence of “exceptional circumstances” warranting relief. See *Ruotolo v. City of New York*, 514 F.3d 184, 191 (2d Cir. 2008); see also *D’Angelo v. State Farm Fire & Cas. Co.*, 32 F. App’x 604, 605 (2d Cir. 2002) (“Material offered in support of a motion to vacate under Rule 69(b)(6) must be highly convincing material.”). Plaintiff, however, has presented no evidence that exceptional circumstances exist in this case. In fact, he has asserted no arguments relating to the merits of the claims asserted in this

case. Thus, relief under Rule 60(b) is not warranted.

Plaintiff's motion for reconsideration [Doc. #56] is DENIED.

SO ORDERED this 4th day of August 2017, at Hartford, Connecticut.

/s/

Vanessa L. Bryant
United States District Judge