

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

RICHARD ROGUE,	:	
Plaintiff,	:	
	:	PRISONER
v.	:	Case No. 3:12-cv-1179 (JBA)
	:	
LEO ARNONE, et al.,	:	
Defendants.	:	

RULING ON PENDING MOTIONS

The plaintiff commenced this action against defendants Leo Arnone, John Tarascio, Bradway, Burke and Kane. He alleges that the defendants have denied his constitutional right of access to the courts and a law library. On September 17, 2012, the court filed an Initial Review Order dismissing the complaint. See Doc. #8. The plaintiff now seeks reconsideration of that order and leave to reopen this case and file an amended complaint. For the reasons that follow, the plaintiff's motions are denied.

Reconsideration will be granted only if the moving party can identify controlling decisions or data that the court overlooked and that would reasonably be expected to alter the court's decision. See Schrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995). A motion for reconsideration may not be used to relitigate an issue the court already has decided. See 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).

The plaintiff based his claim of denial of access to the courts on the lack of a law library at the correctional facility. As the court explained, the plaintiff does not have a constitutional right to a law library. He only is entitled to assistance in filing meaningful legal papers. See Lewis v. Casey, 518 U.S. 343, 346 (1996). The court noted that the Connecticut Department of Correction has elected to provide legal assistance through the Inmates' Legal Assistance Program for civil matters and the Office of the Public Defender for criminal matters.

The plaintiff has not identified any controlling decisions or data overlooked by the court. Thus, reconsideration of the dismissal of this case, reopening the case and amending the complaint are not warranted.

The plaintiff's motions to reopen [**Doc. #10**] and for reconsideration and to amend [**Doc. #11**] are **DENIED**.

So ordered this 27th day of November 2012, at New Haven, Connecticut.

/s/ _____
Janet Bond Arterton
United States District Judge