

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

TERRELL L. POWELL,

Plaintiff,

v.

CASE NO. 1:03-cv-00059-MP

ROBERT K. MATHIS,

Defendant.

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ORDER

This matter is before the Court on Doc. 25, Plaintiff's "Motion to State a Claim." On December 18, 2003, the Court dismissed Plaintiff's case without prejudice for failure to state a claim. Now, more than five years later, Plaintiff has filed the instant motion requesting that the Court reinstate his claim or, in the alternative, permit him to file an untimely appeal of the Court's 2003 order. The Court does not have the authority to grant either request. Therefore, the motion is DENIED. To the extent Plaintiff's motion can be construed as a motion for reconsideration of the Court's 2003 order, the motion is also DENIED. If Plaintiff wishes to proceed with a claim against Defendant, then Plaintiff must file a new complaint. Plaintiff's complaint has been dismissed, the time for filing appeals has long passed, and this case is closed.

DONE AND ORDERED this 2nd day of April, 2009

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge