

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

WESLEY EUGENE DOLLAR,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 5:10-CV-208 (MTT)
)	
WARDEN ALAN CARTER, et al.,)	
)	
Defendants.)	
)	

ORDER

This matter is before the Court on pro se Plaintiff Wesley Eugene Dollar's Second Motion for Reconsideration (Doc. 64) (the "Motion"). The Motion seeks to overturn the July 26, 2011 Order by the Court which dismissed the Plaintiff's case because his claims were already adjudicated in the Superior Court of Wilcox County, Georgia. (Doc. 54).¹ The Court denied the Plaintiff's First Motion for Reconsideration on September 6, 2011. (Doc. 62).

Pursuant to Local Rule 7.6, "Motions for Reconsideration shall not be filed as a matter of routine practice." M.D. Ga., L.R. 7.6. "Reconsideration is appropriate only if the movant demonstrates (1) that there has been an intervening change in the law, (2) that new evidence has been discovered which was not previously available to the parties in the exercise of due diligence, or (3) that the court made a clear error of law." *Bingham v. Nelson*, 2010 WL 339806, at *1 (M.D. Ga. 2010) (internal quotation marks

¹ This Court adopted the Report and Recommendation of Magistrate Judge Charles H. Weigle that granted the Defendants' Motion to Dismiss. (Doc. 54).

and citation omitted). “In order to demonstrate clear error, the party moving for reconsideration must do more than simply restate his prior arguments, and any arguments which the party inadvertently failed to raise earlier are deemed waived.”

McCoy v. Macon Water Authority, 966 F.Supp. 1209, 1222-23 (M.D. Ga. 1997).

Here, the Plaintiff has not met his burden. He has alleged no intervening change in the law, has presented no new evidence not previously available to the parties, and the Court is not persuaded its previous ruling was clearly erroneous. Accordingly, the Plaintiff’s Second Motion for Reconsideration is DENIED.

SO ORDERED, this 15th day of September, 2011.

S/ Marc T.Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT

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