

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

RICO STERLING,

Plaintiffs,

v.

Warden ERIC SELLERS, et al.,

Defendants.

CIVIL ACTION NO. 5:16-CV-13 (MTT)

ORDER

Plaintiff Waseem Daker has moved to vacate this Court's Order (Doc. 61) denying his motion to intervene (Doc. 40). Doc. 67. The Court construes this motion as a motion to reconsider. 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. Indeed, "[r]econsideration of a previous order is an extraordinary remedy to be employed sparingly." *Bingham v. Nelson*, 2010 WL 339806, at *1 (M.D. Ga.) (quotation marks and citation omitted). It "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." *Id.* "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, Daker has not raised a change in the law, newly discovered evidence,

or clear error in the Court's previous order. Accordingly, Daker's Motion for Reconsideration (Doc. 36) is **DENIED**.¹

SO ORDERED, this 29th day of January, 2018.

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

¹ In his motion, Daker alleges that he is "under imminent danger of serious injury" and that therefore he should be allowed to file a claim despite the "three strikes provision." Doc. 67 at 2. This allegation does not affect Daker's right to intervene. If he wishes to raise a claim regarding any violation of his rights and to allege that he is under imminent danger of physical injury, the avenue to do so is to file his own complaint.