

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

<p>TRAVISE HULEY,</p>)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 5:16-CV-32 (MTT)
)	
Sheriff BILL MASSEE, et al.,)	
)	
Defendants.)	
)	

ORDER

On February 21, 2018, the Court adopted United States Magistrate Judge Stephen Hyles’s Recommendation that Defendants Crystal Bell and Paul Stephen Buczynksy’s motions for summary judgment be granted. Doc. 85. And judgment was entered in the Defendants’ favor on February 22, 2018. Doc. 87. Plaintiff Travise Huley has now filed his “Second Objection to Summary Judgment and Order.” Doc. 93. The Court liberally construes this as a motion to reconsider the Court’s adoption of the Magistrate Judge’s Recommendation and the grant of summary judgment in favor of the Defendants. 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.) (internal 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, Huley objects to the grant of summary judgment because he claims he was not served with a copy of that motion and was never able to review it. Doc. 93 at 1-2. But, from the record, it is clear that Huley was served with a copy of the Recommendation because he filed an objection in response, and, therefore, he was aware of the summary judgment motion and the reasoning behind the Magistrate Judge’s recommendation that it be granted. Doc. 83. Notably, Huley did not argue in that objection that he had not been able to review the motion for summary judgment. *See generally* Doc. 83. Regardless, Huley has raised no change in the law, newly discovered evidence, or clear error in the Court’s previous order. Accordingly, the motion for reconsideration (Doc. 93) is **DENIED**.

SO ORDERED, this 18th day of July, 2018.

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