

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

7/19/02) (unpublished). Plaintiff's Motion for Reconsideration is, therefore, **DENIED**. Doc. # 40.

THEOWANDA LAMB,

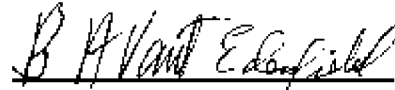
Plaintiff,

v. 608CV093

STEVE UPTON, et al.,

Defendants.

This day of 8 February 2010.



B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

ORDER

The Court recently adopted the Magistrate Judge's Report and Recommendation ("R&R"), recommending the dismissal -- for failure to state a claim -- of certain defendants and of several claims against certain other defendants in inmate-plaintiff Theowanda Lamb's 42 U.S.C. § 1983 suit. Doc. ## 13 (R&R), 36 (Adoption Order). Lamb has since filed a Motion for Reconsideration of the Adoption Order, urging that his objections to the R&R showed that he did in fact state actionable claims against the defendants. Doc. # 40.

"Reconsideration may be necessary if there is (1) newly discovered evidence, (2) an intervening development or change in controlling law, or (3) the need to correct a clear error or prevent manifest injustice." *Jersawitz v. People TV*, 71 F. Supp. 2d 1330, 1344 (N.D. Ga. 1999). However, a reconsideration motion "is not an opportunity for the moving party to instruct the court on how the court could have done it better the first time." *Id.* (quotes, cite and alteration omitted). Nor is it an appropriate vehicle to "reiterate arguments previously made." *Burger King Corp. v. Hinton, Inc.*, 2002 WL 31059465 at *1 (S.D. Fla.