

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

CHERRON MARIE PHILLIPS,)
)
Petitioner,)
)
v.) Case No. 17-cv-1338-MJR
)
UNITED STATES,)
)
Respondent.)

MEMORANDUM AND ORDER

REAGAN, Chief Judge:

This matter is now before the Court on Petitioner Cherron Phillips' Motion for Summary Judgment (Doc. 22), wherein she demands summary judgment as to claims she feels are unresolved in this Court's earlier Order denying her Petition for habeas corpus (Doc. 18). The errors set forth in this Motion are duplicative of the errors Petitioner Phillips raised in a Motion for Evidentiary Hearing (Doc. 20) filed approximately a week before the Motion for Summary Judgment. The Court fully addressed those issues and denied relief in an Order (Doc. 21) that was docketed earlier in the day, but the same day the Court received this Motion for Summary Judgment. The Court finds nothing in the Motion for Summary Judgment that casts doubt upon its earlier Orders (Docs. 18, 21), so the Motion for Summary Judgment is **DENIED**.

Two additional points are worth mention. First, because this habeas petition has already been addressed on the merits, and because the petition has already been denied

(Doc. 18), Petitioner's request for Summary Judgment is untimely. Federal Rule of Civil Procedure 56(b) provides that a motion for summary judgment may be filed at any time until 30 days after the close of discovery, unless a different time is set by the local rules. Once a judgment has been entered in a case, summary judgment is no longer an appropriate motion as other rules provide for post-judgment relief. Second, though the Court will not sanction Petitioner based on this Motion for Summary Judgment (Doc. 22) because it was filed before she received the Court's Order dissuading her from further vexatious and repetitive filings—any further filings will be grounds for sanctions. *See Alexander v. United States, 121 F.3d 312, 315-16 (7th Cir. 1997)* (applying monetary sanctions for duplicative filings in a habeas case).

Based on the foregoing analysis, Petitioner's Motion for Summary Judgment is hereby **DENIED**.

IT IS SO ORDERED.

Dated: September 25, 2017

s/ Michael J. Reagan
Michael J. Reagan
Chief Judge
United States District Court