

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOHN L. TOLLIVER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. 07-cv-525-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on Petitioner John L. Tolliver's Motion to Correct (Doc. 32). For purposes of his then-pending appeal, Petitioner asked the Court to construe his prior Motion for Reconsideration as a Motion under Federal Rule of Civil Procedure 59. Petitioner also asked for appointment of counsel to assist him in his appeal. As Tolliver has since voluntarily dismissed his appeal, the Court **DENIES** the Motion **as moot**.

IT IS SO ORDERED.

DATED: April 2, 2009

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE