

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MICHAEL F. DISCH,

Plaintiff,

v.

HEARTLAND REGIONAL MEDICAL
CENTER, *et. al*,

Defendants.

Case No. 3:16-cv-01343-JPG

MEMORANDUM & ORDER

J. PHIL GILBERT, DISTRICT JUDGE

This matter comes before the Court on plaintiff Michael F. Disch's Motion to Remove Filing Fees. (Doc. 17.) In his motion, Disch claims that the Court erred when it denied his previous motion to the remove filing fees in his case. (*See* Docs. 14, 15.) Disch does not indicate, however, under which procedural rule he brings this new motion. The Court will thus construe it as a motion to reconsider pursuant to Federal Rule of Civil Procedure 60(b). It is well settled that Rule 60(b) relief is an extraordinary remedy and is granted only in exceptional circumstances. *McCormick v. City of Chicago*, 230 F.3d 319, 327 (7th Cir. 2000) (citing *Dickerson v. Board of Educ.*, 32 F.3d 1114, 1116 (7th Cir. 1994)). Under Rule 60(b), a court may relieve a party from an order where there is "mistake, inadvertence, surprise, or excusable neglect", "newly discovered evidence that, with reasonable diligence could not have been discovered in time to move for a new trial", or "fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party." FED. R. CIV. P. 60(b). "Motions for reconsideration serve a limited function: to correct manifest errors of law or fact or to present newly discovered evidence." *Rothwell Cotton Co. v. Rosenthal & Co.*, 827 F.2d 246, 251 (7th Cir. 1987).

Here, Disch has not made any showing as to why he is entitled to Rule 60(b) relief. Accordingly, the Court **DENIES** his Motion to Remove Filing Fees. (Doc. 17.)

IT IS SO ORDERED.

DATED: DECEMBER 4, 2017

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