

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

JAMES GARNER,

Plaintiff,

v.

THOMAS McDERMOTT, City of  
Hammond Mayor, et al.,

Defendants.

NO. 2:21CV348-PPS/APR

OPINION AND ORDER

My Opinion and Order dated November 18, 2021, dismissed James Garner’s complaint pursuant to 18 U.S.C. §1915(e)(2)(B) because it fails to state a claim on which relief can be granted. [DE 4.] Garner is back with a Motion to Reconsider that decision, in which he merely argues that my analysis was wrong. [DE 6.] The Federal Rules of Civil Procedure do not provide for a “motion to reconsider.” Instead, the rules authorize a motion to alter or amend a judgment under Rule 59(e) or a motion for relief from a judgment under Rule 60(b). The standards applicable to those motions are not intended to offer every unsuccessful litigant the opportunity “simply to say: ‘Judge, we think you’re wrong. Give it another look.’” *Zakutansky v. Bionetics Corp.*, No. 92 C 2002, 1992 WL 390398, at \*1 (N.D.Ill. Dec. 16, 1992). “[I]n a passage quoted by other courts literally hundreds of times, the late Judge Shadur wrote thirty years ago that ‘this Court’s opinions are not intended as mere first drafts, subject to revision and reconsideration at a litigant’s pleasure.’” *Cehovic-Dixneuf v. Wong*, 895 F.3d 927, 932-33 (7<sup>th</sup> Cir. 2018) (quoting *Quaker Alloy Casting Co. v. Gulfco Industries, Inc.*, 123 F.R.D. 282,

288 (N.D. Ill. 1988)). Because Garner does not establish a manifest error of law or fact, does not establish that newly discovered evidence precludes the entry of judgment, and does not establish any of the grounds for relief specified in Rule 60(b), Garner's new motion fails to persuade me that the November 18 opinion should be reconsidered.

**ACCORDINGLY:**

James Garner's Motion to Reconsider November 18, 2021 Case Dismissal Order [DE 6] is DENIED.

**SO ORDERED.**

ENTERED: December 1, 2021.

/s/ Philip P. Simon  
PHILIP P. SIMON, CHIEF JUDGE  
UNITED STATES DISTRICT COURT