

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

ALFRED W. COMER, JR.,

Plaintiff,

v.

CABANAW, et al.,

Defendants.

CAUSE NO. 3:19-CV-849-MGG

OPINION AND ORDER

Alfred W. Comer, Jr., a prisoner without a lawyer, moves the court for reconsideration of the court's order granting summary judgment in favor of the defendants. ECF 84. The court granted the defendants' summary judgment motion on the merits, determining there was no evidence by which a reasonable jury could conclude the defendants' strip-search policy violated Mr. Comer's Eighth or First Amendment rights. ECF 81.

In his motion for reconsideration, Mr. Comer raises two arguments. ECF 84. First, Mr. Comer argues the defendants inappropriately offered evidence he was serving a 60-year sentence for murder, which caused him undue prejudice. *Id.* at 1-2. However, Mr. Comer's conviction and sentence had no impact on the court's analysis of the summary judgment motion. Second, Mr. Comer argues the court erred in concluding food theft constituted a valid penological justification for the strip search policy. *Id.* at 2-3. However, this argument merely seeks to relitigate issues already decided against Mr. Comer at the summary judgment stage. *See Caisse Nationale de Credit Agricole v. CBI*

*Industries, Inc.*, 90 F.3d 1264, 1270 (7th Cir. 1996) (noting that “[r]econsideration is not an appropriate forum for rehashing previously rejected arguments or arguing matters that could have been heard during the pendency of the previous motion”).

For these reasons, the motion to reconsider (ECF 84) is DENIED.

SO ORDERED on October 14, 2021

s/Michael G. Gotsch, Sr.  
Michael G. Gotsch, Sr.  
United States Magistrate Judge