

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA**

GARY E. MANNS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	1:11-cv-1550-TWP-MJD
	)	
DR. JACQUE LECLERC, M.D.,	)	
KIM GRAY, LISA WOLFE,	)	
ASHLEY WAGGLER, AMY	)	
WRIGHT, AND DR. MITCHEFF,	)	
	)	
Defendants.	)	

**Entry Discussing Motion to Reconsider**

The motion to reconsider has been considered. A motion to reconsider is designed to correct manifest errors of law or fact or to present newly discovered evidence. *Publishers Resource, Inc. v. Walker-Davis Publications, Inc.*, 762 F.2d 557, 561 (7th Cir. 1985). For example, a motion for reconsideration is appropriate when: (1) a court has patently misunderstood a party; (2) a court has made a decision outside the adversarial issues presented; (3) a court has made an error not of reasoning but of apprehension; or (4) a change in the law or facts has occurred since the submission of the issue. On the other hand, a motion for reconsideration is an "improper vehicle to introduce evidence previously available or to tender new legal theories." *Bally Export Corp. v. Balicar, Ltd.*, 804 F.2d 398, 404 (7th Cir. 1986).

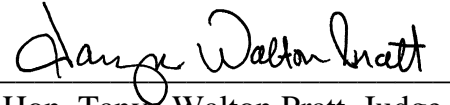
The plaintiff seeks reconsideration of the ruling in the Entry issued on November 9, 2012 [Dkt. 65] denying his request to file the proposed amended complaint. The **request for reconsideration [Dkt. 72] is denied**, because the court made a correct ruling on the plaintiff's motion to file an amended complaint and no persuasive basis for reconsidering that ruling has been shown.

The primary reason the plaintiff's motion to amend was denied is that it sought to expand the scope of the plaintiff's claims to events occurring after he was transferred from Wabash Valley Correctional Facility to the Indiana State Prison. Nothing in the Entry of November 9, 2012, prohibits the plaintiff from filing a second motion to file an amended complaint and from submitting a proposed

amended complaint which is limited to the events and circumstances surrounding his medical treatment at Wabash Valley Correctional Facility. If a second motion to file an amended complaint is filed the court will evaluate it pursuant to 28 U.S.C. § 1915A(b), *Federal Rules of Civil Procedure* 15 and Local Rule 15-1.

**IT IS SO ORDERED.**

Date: 01/07/2013

  
Hon. Tanya Walton Pratt, Judge  
United States District Court  
Southern District of Indiana

Distribution:

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