

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

TAYLOR CARLISLE, ET AL.

CIVIL ACTION

VERSUS

NO: 16-3767

NEWELL NORMAND, ET AL.

SECTION: "H"(1)

ORDER AND REASONS

Before the Court is Plaintiffs' Motion for Reconsideration or Alternatively Motion for a New Trial (Doc. 547). For the following reasons, the Motion is **DENIED**.

BACKGROUND

This lawsuit arises out of the participation by Plaintiffs Taylor Carlisle and Emile Heron in Jefferson Parish's Drug Court. On August 7, 2019, this Court affirmed the Magistrate's Judge's March 20, 2019 Order and Reasons denying Plaintiffs' request for leave to file a Fourth Amended and Supplementing Complaint against the Jefferson Parish Sheriff.¹ Plaintiff now asks this Court to reconsider its affirmation of the Magistrate's Order and Reasons.²

¹ Doc. 545.

² Doc. 547. Plaintiffs move for reconsideration under Rule 59(e), but the proper standard for an interlocutory order like the one Plaintiffs seek reconsideration of comes from Rule 54(b).

LEGAL STANDARD

A Motion for Reconsideration of an interlocutory order is governed by Federal Rule of Civil Procedure 54(b).³ “Under Rule 54(b), ‘the trial court is free to reconsider and reverse its decision for any reason it deems sufficient, even in the absence of new evidence or an intervening change in or clarification of the substantive law.’”⁴

LAW AND ANALYSIS

Plaintiffs in this Motion continue to re-hash the same arguments they have now presented before both the Magistrate Judge and this Court. Accordingly, this Court sees no reason to disturb its August 7, 2019 Order and Reasons affirming the Magistrate Judge’s decision to deny Plaintiffs leave to amend their claims against the Sheriff. To the extent Plaintiffs seek a final judgment regarding the Court’s August 7, 2019 Order and Reasons, that request also is denied because the Court does not find that there is no just reason for delay.⁵

CONCLUSION

For the foregoing reasons, Plaintiffs’ Motion is **DENIED**.

New Orleans, Louisiana this 27th day of September, 2019.

³ FED. R. CIV. P. 54(b) (noting that a district court may revise at any time prior to final judgment “any order . . . that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties”). *See* McClendon v. United States, 892 F.3d 775, 781 (5th Cir. 2018).

⁴ *Austin v. Kroger Texas, L.P.*, 864 F.3d 326, 336 (5th Cir. 2017) (quoting *Lavespere v. Niagara Mach. & Tool Works, Inc.*, 910 F.2d 167, 185 (5th Cir. 1990)).

⁵ *See* FED. R. CIV. P. 54(b).

A handwritten signature in black ink, appearing to read "Jane Triche Milazzo", written in a cursive style. The signature is positioned above a horizontal line.

**JANE TRICHE MILAZZO
UNITED STATES DISTRICT JUDGE**