

DEC 14 2015

TONY R. MOORE, CLERK
BY MS DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

JEFFREY C. SHAW

CIVIL ACTION NO. 15-0021

-vs-

JUDGE DRELL

WARDEN, FEDERAL
CORRECTIONAL INSTITUTE
POLLOCK, ET AL.

MAGISTRATE JUDGE KIRK

ORDER

Before the court is Plaintiff's "Motion to Reconsider and Liberally Construe Plaintiff's Rule 54(c) Motion for Judgment and Relief[.]" (Doc. 40). Plaintiff's motion asserts that, in its previous order denying Plaintiff's "Motion for Judgment and Relief Pursuant to Fed. R. Civ. P. 54(C)(D)[,]" the court failed to address his "initial constitutional issue" and construed his motion narrowly, failing to give it the liberal interpretation to which Plaintiff is entitled as a pro-se litigant.

We have carefully reviewed the record in this case and find that Plaintiff's "initial constitutional issue[,]" – his Eighth Amendment claims regarding alleged exposure to various infectious diseases and deliberate indifference in the form of inadequate medical care – were fully analyzed by the magistrate judge in his Report and Recommendation, found in the record at Document No. 16. Plaintiff's more recent "Motion for Judgment and Relief Pursuant to Fed. R. Civ. P. 54(C)(D)" raises the same issues previously addressed by the Report and Recommendation, adopted by Judgment of the court. (Doc. 22).

Accordingly, to the extent that Plaintiff's instant motion may be construed as a motion for reconsideration, we find no basis for relief, as all allegations have been addressed in our prior

rulings. Erickson v. Pardus, 551 U.S. 89, 94 (2007) quoting Estelle v. Gamble, 429 U.S. 97, 106 (1976) (Pleadings filed by pro se litigants are to be “liberally construed.”). For this reason, Plaintiff’s motion for relief (Doc. 40) is hereby **DENIED** in all respects.

THUS DONE AND SIGNED this 14th day of December, 2015 at Alexandria, Louisiana.



**DEE D. DRELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT**