

RECEIVED
USDC, WESTERN DISTRICT OF LA.
TONY R. MOORE, CLERK
DATE 6/19/09
BY [Signature]

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

RONALD LELEAUX, JR.

CIVIL ACTION NO. 09-0509

VERSUS

JUDGE ROBERT G. JAMES

JOHN R. HARRISON

MAG. JUDGE KAREN L. HAYES

MEMORANDUM RULING

Before the Court is *pro se* Plaintiff Ronald Leleaux, Jr.'s ("Leleaux") "Motion to Amend or Alter the Complaint Pursuant to Rule 15(a) and/or to Alter or Amend the Judgement [sic] under F.R.C.P. 59(e) and/or Reconsider..." [Doc. No. 19]. Leleaux seeks to amend his complaint to assert a claim for monetary damages against Defendant Judge John R. Harrison ("Judge Harrison") in his individual capacity. Leleaux also seeks to alter or amend the Court's June 16, 2009 Judgment [Doc. No. 18] adopting the Report and Recommendation of the Magistrate Judge and dismissing his claims with prejudice for failing to state a claim.


A court should freely give leave to amend a pleading "when justice so requires." FED. R. CIV. P. 15(a)(2). However, a court need not grant leave to amend when the proposed pleading would be futile. *See FDIC v. Conner*, 20 F.3d 1376, 1385 (5th Cir. 1994).

Leleaux's complaint does not specify whether he seeks damages against Judge Harrison in his individual or official capacity. *See* [Doc. No. 1, ¶]. Judge Harrison is entitled to absolute judicial immunity from a claim against him in his individual capacity. *See Sup. Ct. of Va. v. Consumers Union of the U.S., Inc.*, 446 U.S. 719, 734–35 (1980); *Bauer v. Texas*, 341 F.3d 352, 357 (5th Cir. 2003). Therefore, the Court finds that the proposed amendment is futile, and Leleaux's motion to amend is DENIED.

A motion for reconsideration is made pursuant to Federal Rule of Civil Procedure Rule 59(e). *See* FED. R. CIV. P. 59(e); *see also Patin v. Allied Signal, Inc.*, 77 F.3d 782, 785 n.1 (5th Cir. 1996). “Such motions serve the narrow purpose of allowing a party to correct manifest errors of law or fact or to present newly discovered evidence.” *Waltman v. Int’l Paper Co.*, 875 F.2d 468, 473 (5th Cir. 1989) (internal quotations and citations omitted).

Leleaux reasserts the arguments he made in his complaint and subsequent pleadings. The Court has considered those arguments again and finds that Leleaux has failed to raise grounds that would entitle him to relief. Leleaux’s motion for reconsideration is, therefore, DENIED.

MONROE, LOUISIANA, this 29 day of June, 2009.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE