

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

BRENDA MOORE

CIVIL ACTION NO. 18-0539

VS.

JUDGE TERRY A. DOUGHTY

AMY ELLENDER, ET AL.

MAG. JUDGE KAREN L. HAYES

RULING

Pending before the Court is Plaintiff's pro se "Motion to Alter or Amend Docket No. 6 under FRCP Rule 59(e)", [Doc. No. 10], filed on June 4, 2018, but not entered on the electronic docket until June 7, 2018. (A reading of Plaintiff's motion suggests that she is actually seeking to alter or amend the Magistrate Judge's Report and Recommendation [Doc. No. 8] rather than "Docket No. 6", which is simply a motion by Plaintiff for service of pleadings by the US Marshall).

The Magistrate Judge's Report and Recommendation [Doc. No. 8] was filed on May 18, 2018. As was pointed out to the parties in the Report and Recommendation [Doc. No. 8, p. 6-7], Plaintiff's remedy, if she was not satisfied with the Report and Recommendation, was to file specific, written objections with the Clerk of Court within fourteen (14) days from service of the Report and Recommendation, (or by June 1, 2018), pursuant to 28 U.S.C. § 636(b)(1)(C) and FRCP Rule 72(b). Therefore, FRCP Rule 59(e) is not the proper procedural vehicle to attack the Report and Recommendation, and her motion must be DENIED.

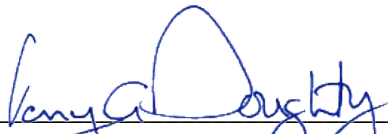
Plaintiff did not file an objection to the Report and Recommendation, or even the pending motion, on or before June 1, 2018; therefore, on June 4, 2018, the Court rendered Judgment adopting the Report and Recommendation of the Magistrate Judge [Doc. No. 9]. Because

Plaintiff is proceeding pro se, the Court has reviewed and considered her motion [Doc. No. 10], and even if it was construed as an objection to the Report and Recommendation, it does not change the opinion of the Court as reflected in the Judgment adopting the Report and Recommendation of Magistrate Judge Hayes [Doc. No. 9].

Accordingly,

Plaintiff's Motion to Alter or Amend Docket No. 6 [8] under FRCP Rule 59(e) [Doc. No. 10] is DENIED.

Monroe, Louisiana, this 7th day of June, 2018.



TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE