

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

IRVIN J. BETCH, *et al.*,

*

Plaintiff,

*

v.

*

Civil Action No. 8:22-cv-00894-PX

ATTORNEY MAURICE W. O'BRIEN, *et al.*,

*

Defendants.

MEMORANDUM OPINION AND ORDER

Presently pending is Plaintiffs Irving and Patricia Betch's motion for reconsideration of this Court's order dismissing the Complaint. ECF No. 31.¹ Pursuant to Rule 59(e) of the Federal Rules of Civil Procedure, reconsideration is available "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice." *Pacific Ins. Co. v. American Nat. Fire Ins. Co.*, 148 F.3d 396, 403 (4th Cir. 1998). "Rule 59(e) motions may not be used, however, to raise arguments which could have been raised prior to the issuance of the judgment . . ." *Id.*

Plaintiffs have provided no grounds for the Court to reconsider its prior decision. First, the Court did not clearly err in concluding that the state foreclosure action, litigated to final judgment, barred re-litigation of the same claims in this Court. *See Proctor v. Wells Fargo Bank, N.A.*, 289 F. Supp. 3d 676, 682-85 (D. Md. 2018). Nor did the Court misapply the *Rooker-Feldman* doctrine, as Plaintiffs contend. ECF No. 31 at 1. Rather, because the claims were barred by res judicata, the Court declined to reach whether *Rooker-Feldman* also barred the

¹ The motion is styled as one "for reconsideration of the dismissal . . . and notice of appeal." ECF No. 31. To the extent Plaintiffs wish to appeal, they must follow Fed. R. App. P. 3 & 4.

claims. *See* ECF No. 29 at 8 n.5. Thus, Plaintiffs have advanced no grounds for reconsideration of the prior decision.

Accordingly, it is this 15th day of September 2022, by the United States District Court for the District of Maryland, hereby ORDERED that:

1. Plaintiffs' Motion for Reconsideration (ECF No. 31) IS DENIED; and
2. The Clerk SHALL MAIL a copy of this Memorandum Opinion and Order to the parties and CLOSE this case.

September 15, 2022
Date

/s/
Paula Xinis
United States District Judge