

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CHARLES QUATRINE, Jr.,

Petitioner,

v.

MARY BERGHUIS,

Respondent,

Civil No. 2:10-CV-11603
HONORABLE DENISE PAGE HOOD
UNITED STATES DISTRICT JUDGE

OPINION AND ORDER DENYING THE MOTION FOR RECONSIDERATION

On October 23, 2012, this Court denied petitioner's motions for appointment of counsel and for release on bail. Petitioner has now filed a motion for reconsideration. For the reasons that follow, the motion is DENIED.

U.S. Dist.Ct. Rules, E.D. Mich. 7.1 (h) allows a party to file a motion for reconsideration. However, a motion for reconsideration which presents the same issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *Michigan Regional Council of Carpenters v. Holcroft L.L.C.* 195 F. Supp. 2d 908, 911 (E.D. Mich. 2002)(*citing to* U.S. Dist.Ct. Rules, E.D. Mich. 7.1 (g)(3)). A motion for reconsideration should be granted if the movant demonstrates a palpable defect by which the court and the parties have been misled and that a different disposition of the case must result from a correction thereof. *Id.* A palpable defect is a defect that is obvious, clear,

unmistakable, manifest, or plain. *Witzke v. Hiller*, 972 F. Supp. 426, 427 (E.D. Mich. 1997).

In his motion for reconsideration, petitioner essentially raises the same arguments that he raised in his prior motions for the appointment of counsel and for release on bond and which were considered by the Court when denying petitioner's motions. The Court will deny petitioner's motion for reconsideration, because petitioner is merely presenting issues which were already ruled upon by this Court, either expressly or by reasonable implication, when the Court denied petitioner's motions for the appointment of counsel and for release on bond. See *Hence v. Smith*, 49 F. Supp. 2d 547, 553 (E.D. Mich. 1999).

Based upon the foregoing, IT IS ORDERED that the motion for reconsideration [Dkt. # 26] is **DENIED**.

S/Denise Page Hood

Denise Page Hood
United States District Judge

Dated: November 29, 2012

I hereby certify that a copy of the foregoing document was served upon Charles Quatrone #605639, 2500 S. Sheridan Drive, Muskegon Heights, MI 49444 and counsel of record on November 29, 2012, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager