

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PATRICK T. FIELDS,

Plaintiff,

vs.

Case No. 11-CV-12320
HON. GEORGE CARAM STEEH

STATE OF ALABAMA,

Defendant.

_____/

ORDER DENYING PLAINTIFF'S MOTION TO VACATE JUDGMENT

Plaintiff Patrick T. Fields, proceeding pro se, filed suit against the State of Alabama. The court granted Mr. Fields in forma pauperis status pursuant to 28 U.S.C. § 1915, and then dismissed his complaint as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). Mr. Fields has now filed a motion to vacate judgment pursuant to Fed. R. Civ. P. 60(b). The grounds given for his motion to vacate are fraud by the defendant in failing to give Mr. Fields notice of legal action so he could have appeared in court to clear up some confusion regarding two versions of his father's will, both of which were apparently probated. Mr. Fields attaches a tax record, showing his address in 1999.

Plaintiff has not shown any grounds for granting relief due to fraud by an opposing party, as required by Fed. R. Civ. P. 60(b)(3). It is not clear what, if anything, the State of Alabama failed to do in this case. Now, therefore,

IT IS HEREBY ORDERED that plaintiff's motion to vacate judgment is DENIED.

Dated: October 28, 2011

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 28, 2011, by electronic and/or ordinary mail and also to Patrick T. Fields at P.O. Box 44022, Detroit, MI 48244-0022.

S/Marcia Beauchemin
Deputy Clerk