

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHANNON BRYL,

Plaintiff,

Case No. 14-11163

v.

HON. AVERN COHN

STATE OF MICHIGAN,

Defendant.

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ORDER DENYING PLAINTIFF'S MOTION TO REINSTATE (Doc. 11)

This is a prisoner civil rights case under 42 U.S.C. § 1983 which is closed. On March 19, 2014, plaintiff Shannon Bryl filed a pro se complaint, alleging that she was subjected to contaminated water at the Camp Brighton Facility. After filing, the Court issued an Order to Correct Deficiency because Bryl did not name a defendant and did not file sufficient copies of her complaint for service. (Doc. 5). The Court also told Bryl to correct the deficiencies by April 30, 2014 and if she failed to do so, the complaint would be dismissed for want of prosecution. (Id.) Bryl did not correct the deficiencies. Therefore, the Court dismissed the complaint without prejudice. (Doc. 6).

Two months after the dismissal, Bryl filed a motion to motion to amend her complaint, which the Court construed as a motion for reconsideration. (Doc. 7). The Court denied the motion. (Doc. 8). Then, on March 3, 2015, nearly a year after the complaint was dismissed, Bryl filed a motion for enlargement of time. (Doc. 9). In that motion, Bryl sought relief under Rule 60(b)(1) in order to file a complaint to name a defendant and to provide the proper number of copies. She also asked for a copy of

her complaint, stating she no longer has a copy. The Court denied the motion on the grounds that she did not meet the standard under Rule 60(b). The Court also noted that the complaint was dismissed without prejudice. “Thus, if Bryl wishes to pursue her claims, she is free to file a new complaint naming proper defendants.” (Doc. 10 at p. 2).

Now, over a year after the Court denied her Rule 60(b) motion, on November 11, 2016, Bryl filed the instant motion to reinstate. Again, she seeks to reinstate her complaint in order to correct the deficiencies. The motion is DENIED. As previously explained, Bryl may file a new complaint naming proper defendants. However, she cannot reinstate this case.

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: January 20, 2017
Detroit, Michigan