

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TONYA KNIGHT,

Plaintiff,

vs.

Case No. 16-11662

BANK OF AMERICA,

HON. AVERN COHN

Defendant.

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION (Doc. 19)

I.

This is a case challenging a foreclosure following a default on a mortgage. The property subject to the mortgage was sold at a foreclosure sale to defendant Bank of America and the redemption period has expired. Nevertheless, plaintiff, proceeding pro se, contended she has a right to the property. The complaint made the following claims, phrased by plaintiff as follows:

Count I Violation of MCL 600.3220

Count II Violation of MCL 600.3208

Count II¹ Violation of Fair Debt Collection Practices Act

Count III Equitable Relief to Extend the Redemption Period

On November 8, 2016 the Court entered an order granting defendant's motion to dismiss, Doc. 9, denying plaintiff's motion for leave to file a first amended complaint, Doc. 11, and dismissing the case. See Doc. 18. Essentially, the Court found that none

¹The complaint contained two claims labeled "Count II."

of the claims were plausible because they lacked merit.

Before the Court is plaintiff's motion for reconsideration. (Doc. 19). For the reasons that follow, the motion is DENIED.

II.

E.D. Mich LR 7.1(h)(3) provides in relevant part:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

Restating arguments does not establish a defect or that the Court was misled. See Intercontinental Electronics, S.p.A. v. Roosen, 210 F. App'x 491, **3 (6th Cir. 2006).

III.

Plaintiff has not satisfied the high standard for reconsideration. She repeats her prior arguments which the Court rejected in granting defendant's motion to dismiss or advances arguments that are not relevant to the issues presented in defendant's motion.

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: February 9, 2017
Detroit, Michigan