

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALLEN DEAN ARMSTRONG, #222965,

Petitioner,

v.

CASE NO. 2:16-CV-13449
HONORABLE NANCY G. EDMUNDS

SHERMAN CAMPBELL,

Respondent.

_____ /

ORDER DENYING MOTION FOR RECONSIDERATION AND OBJECTIONS
[Dkts. #14 and 15]

This matter is before the Court on habeas petitioner Allen Dean Armstrong's motion for reconsideration and objections concerning the Court's dismissal of his habeas petition for failure to comply with the one-year statute of limitations application to federal habeas actions. The Court also denied a certificate of appealability and denied leave to proceed *in forma pauperis* on appeal.

A motion for reconsideration which presents issues already ruled upon by the Court, either expressly or by reasonable implication, will not be granted. *Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Petitioner raises just such issues in his motion and objections. Petitioner has also not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by Local Rule 7.1(h)(3). The Court properly dismissed the petition as untimely and properly denied a certificate of appealability and leave to proceed

in forma pauperis on appeal. Accordingly, the Court **DENIES** Petitioner's motion for reconsideration and his objections.

IT IS SO ORDERED.

s/ Nancy G. Edmunds _____
NANCY G. EDMUNDS
UNITED STATES DISTRICT JUDGE

Dated: December 13, 2016

CERTIFICATION

I hereby certify that a copy of this Order was served upon the parties and/or Counsel of record on this 13th day of December, 2016 by regular U.S. Mail and/or CM/ECF.

s/ Carol J Bethel _____
Case Manager