UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES M. KEARNEY,

Plaintiff,

v.

WASHTENAW COUNTY
DETECTIVE NANCY HANSEN,

Defendant.
_____/

CASE NO. 17-CV-11236
HON. GEORGE CARAM STEEH

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION

Pro se plaintiff James Kearney, a prisoner in the Washtenaw County jail, filed a petition for a writ of mandamus. On May 2, 2017, the court sua sponte dismissed his petition as frivolous pursuant to pursuant to 28 U.S.C. § 1915(e)(2) and 1915A(b). The clerk of the court docketed his petition as a suit against the Washtenaw County Jail, and this court identified same as the defendant in the case caption in its prior order. On May 8, 2017, plaintiff filed a letter seeking to clarify his prior petition for a writ of mandamus by indicating that he intends to sue Washtenaw County Detective Nancy Hansen not the Washtenaw County Jail. The court's prior opinion noted that plaintiff sought mandamus relief in the form of an order

compelling Washtenaw County detectives to conduct a fair investigation of the allegedly false charges against him. Plaintiff's earlier filed petition clearly identified Detective Hansen as the individual against whom he sought mandamus relief. The court construes plaintiff's letter as a motion for reconsideration.

Under Local Rule 7.1(h)(3), the court will only grant a motion for reconsideration if the movant demonstrates a palpable defect by which the court has been misled and shows that correcting the mistake will result in a different disposition of the case. Plaintiff's letter merely restates allegations of fact which the court has previously considered and determined fail to state a basis for the extraordinary relief he seeks. Plaintiff has not demonstrated a palpable defect by which the court has been misled. Accordingly, plaintiff's motion for reconsideration (Doc. 6) is DENIED. The court has, however, corrected the case caption to name Detective Hansen as the defendant. This correction does not alter the court's conclusion that plaintiff's petition is frivolous and must be dismissed.

IT IS SO ORDERED.

Dated: May 23, 2017

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 May 23, 2017, by electronic and/or ordinary mail and also on James M. Kearney, 2201 Hogback Rd., Ann Arbor, MI 48105.

s/Marcia Beauchemin
Deputy Clerk