

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TOM LEWIS,

Plaintiff,

v.

Case No. 2:21-cv-11939

Hon. Nancy G. Edmunds
Magistrate Judge Kimberly G. Altman

ALAN GREASON, REGINA JENKINS-
GRANT, CHRISTINA RAMSEY,
JEFFREY LUZIUS, MELODY WALLACE,
RICHARD RUSSELL, FNU CAMPBELL,
UNKNOWN MAILROOM PERSONNEL,
and UNKNOWN TRANSFER
COORDINATOR,

Defendants.

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**ORDER DENYING MOTION FOR LEAVE TO FILE RULE 59(e) MOTION TO ALTER
OR AMEND MARCH 20, 2023 JUDGMENT [154]**

Before the Court is Plaintiff Tom Lewis's "Motion to File a Motion to Alter and Amend the Judgments Already Entered by the Court." (ECF No. 154.) Plaintiff states that he wishes to file a Rule 59(e) motion to alter or amend this Court's March 20, 2023 Order in which it accepted and adopted the Magistrate Judge's February 15, 2023 Report and Recommendation. Plaintiff's request is denied as time-barred.

Rule 59(e) of the Federal Rules of Civil Procedure provides that "[a] motion to alter or amend a judgment must be filed no later than 28 days after the entry of judgment." Fed. R. Civ. P. 59(e). The Court does not have discretion to extend the time for filing a Rule 59(e) motion. Fed. R. Civ. P. 6(b)(2). Indeed, "the limits on the availability of Rule 59(e) relief are substantial." *Howard v. United States*, 533 F.3d 472, 475 (6th Cir. 2008).

Plaintiff signed the present motion for leave to file and it was post marked on July 10, 2023—112 days after this Court entered its March 20, 2023 Order; therefore, it is untimely. The motion is DENIED on this basis.

SO ORDERED.

s/ Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: January 9, 2024

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 9, 2024, by electronic and/or ordinary mail.

s/ Lisa Bartlett
Case Manager