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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

ERIC	MA	CON.	

Petitioner,

v.

CASE NO. 05-CV-60263 HONORABLE JOHN CORBETT O'MEARA

BARRY DAVIS,

Respondent.

ORDER DENYING APPLICATION TO PROCEED IN FORMA PAUPERIS ON APPEAL AND DENYING PETITION FOR EVIDENTIARY HEARING

This matter is before the Court on Petitioner's application to proceed *in forma pauperis* on appeal concerning the Court's denial of his habeas petition, as well as his post-judgment petition for an evidentiary hearing on his perjured testimony claim. The Court, however, denied relief on the perjured testimony claim and denied a certificate of appealability and leave to proceed on appeal *in forma pauperis* in its opinion and order dismissing the petition. The Court finds no reason to reconsider those decisions. A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *See 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 has 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(g)(3). Accordingly, the Court **DENIES** Petitioner's application to proceed *in forma pauperis* on appeal

as well as his post-judgment petition for an evidentiary hearing.

SO ORDERED.

s/John Corbett O'MearaUnited States District Judge

Date: March 13, 2009

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, March 14, 2009, by electronic and/or ordinary mail.

s/William Barkholz Case Manager