

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Freddie L. Dillard,

Plaintiff,

v.

ORDER

Civil No. 16-3403 ADM/DTS

Joan Fabian, Department of
Correction Commissioner; Tom
Roy, Department of Correction
Commissioner; Christopher Coleman,
City of St. Paul Mayor; Carol Pender
Roberts, Ramsey County Adult
Community Correction Director;
Tom Smith, St. Paul Chief of Police
in his personal, official, and individual
capacity; Tom Harrington, St. Paul Chief
of Police in his personal, official, and
individual capacity; and all persons
unknown claiming any legal or equitable
right or accrued interest described in the
complaint adverse to plaintiff's complaint,

Defendants.

Freddie L. Dillard, pro se.

This matter is before the undersigned United States District Judge for a ruling on Plaintiff Freddie L. Dillard's ("Dillard") Motion to Stay Judgment and Requesting Permission to Leave [sic] to Supplement and Amend Pleading [Docket No. 37]. Dillard requests that the Court stay the Judgment [Docket No. 36] dismissing his First Amended Complaint [Docket No. 4] and grant him leave to amend his pleadings.

"A district court has discretion under Rule 60(b) to grant postjudgment leave to file an amended complaint if the motion is made within a reasonable time . . . and the moving party shows exceptional circumstances warranting extraordinary relief." United States v. Mask of

Ka-Nefer-Nefer, 752 F.3d 737, 743 (8th Cir. 2014) (internal quotations omitted). Dillard has not identified exceptional circumstances warranting extraordinary relief. Rather, he merely attempts to raise new arguments and legal theories which could have been raised prior to entry of Judgment. Accordingly, no basis exists for staying the Judgment or granting post-Judgment leave to amend the pleadings.

Based upon the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Plaintiff Freddie L. Dillard's Motion to Stay Judgment and Requesting Permission to Leave [sic] to Supplement and Amend Pleading [Docket No. 37] is **DENIED**.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: September 13, 2017.