

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

CHRISTOPHER GRADY

PETITIONER

v.

No. 1:15CV172-SA-DAS

STATE OF MISSISSIPPI

RESPONDENT

**ORDER DENYING PETITIONER'S MOTION [25]
FOR RELIEF FROM JUDGMENT OR ORDER**

This matter comes before the court on the petitioner's motion for reconsideration of the court's final judgment [16], which the petitioner has styled a "Petition for Writ of Certiorari/Collateral/Habeas Corpus Relief." The court interprets the motion, using the liberal standard for *pro se* litigants set forth in *Haines v. Kerner*, 404 U.S. 519 (1972), as a motion for relief from a judgment or order under FED. R. CIV. P. 60. An order granting relief under Rule 60 must be based upon: (1) clerical mistakes, (2) mistake, inadvertence, surprise, or excusable neglect, (3) newly discovered evidence, (4) fraud or other misconduct of an adverse party, (5) a void judgment, or (6) any other reason justifying relief from the operation of the order.

In the instant motion to reconsider, the petitioner has not addressed the reason for the court's dismissal of this case – that he failed to exhaust state remedies. Instead, it appears that he merely reiterated the grounds for relief presented in his original petition. Thus, the petitioner has neither asserted nor proven any of the specific justifications for relief from an order permitted under Rule 60. In addition, the petitioner has not presented "any other reason justifying relief from the operation" of the judgment. As such, the petitioner's request for reconsideration is **DENIED.**

SO ORDERED, this, the 9th day of March, 2017.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE