

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

STEPHEN DANIEL MONTALTO

PETITIONER

V.

CAUSE NO. 3:15-CV-00457-CWR-FKB

**MISSISSIPPI DEPARTMENT OF
CORRECTIONS; COMMISSIONER
PELICIA E. HALL**

RESPONDENTS

ORDER

Before the Court is Petitioner Stephen Montalto's motion for reconsideration, Docket No. 52, to which the Respondents filed a response in opposition, Docket No. 54. Federal courts recognize "only three possible grounds for any motion for reconsideration: (1) an intervening change in controlling law, (2) the availability of new evidence not previously available, and (3) the need to correct a clear error of law or prevent manifest injustice." *Atkins v. Marathon LeTourneau Co.*, 130 F.R.D. 625, 626 (S.D. Miss. 1990). Having considered Montalto's motion for reconsideration and supporting memorandum, the record, and relevant legal authorities, the Court finds that the motion is not well-taken and should be DENIED.

SO ORDERED, this the 9th day of February, 2018.

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE