

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

THEODIS BROWN,)	
)	
Plaintiff,)	
)	
v.)	No. 4:84CV2189 CEJ
)	
GORDON D. SCHWEITZER, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

Before the Court is plaintiff Theodis Brown’s motion to reopen this case that was previously dismissed by the Court.

Plaintiff brought this action against various officials of the City of St. Louis, asserting claims pursuant to 42 U.S.C. §§ 1981, 1983 and 1985 and claims based on the Voting Rights Act, the Federal Communications Act, and the First Amendment. Defendants moved to dismiss plaintiff’s claims pursuant to Federal Rule of Civil Procedure 12(b)(6), and the Court granted the motion on October 29, 1984.

Defendant moves, thirty-two (32) years later to reopen the case, stating in a conclusory manner that he has “new evidence” to support his claims. Attached to his motion are ten (10) pages of unidentified documents that do not address the allegations within the instant action, or address specifically plaintiff’s allegations against defendant Schweitzer.

The Court finds no grounds for relief from final judgment in this action. *See* Fed.R.Civ.P.60(b); *see also, Int’l Bhd. of Elec. Workers, Local Union No. 545 v. Hope Elec. Corp.*, 293 F.3d 409, 415 (8th Cir. 2002) (“Rule 60(b) authorizes relief in only the most exceptional of cases.”). Moreover, plaintiff’s motion, filed more than thirty-two years after the

judgment, has not been brought within a reasonable time. Fed.R.Civ.P.60(c). As such, the plaintiff will not be permitted to reopen the case. Further, the Court finds that an appeal of the denial of plaintiff's motion would not be taken in good faith.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to reopen [#3] is **DENIED**.

Dated this 29th day of June, 2016.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE