

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION**

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|----------------------------|---|------------------------------------|
| JOSEPH A. NASTASIO, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 10-06109-CV-SJ-DGK |
| |) | |
| SARA STUPNIANEK, |) | |
| |) | |
| Defendant. |) | |

ORDER DENYING PLAINTIFF’S MOTIONS

Pending before the Court is Plaintiff’s Motion for Reconsideration (Doc. 97) and Plaintiff’s Motion to Preserve Plaintiff’s Lawsuit Against Defendant Sara Stupnianek (Doc. 98). Finding that Plaintiff has presented no reasonable basis as to why he is entitled to relief under Fed. R. Civ. P. 60(b)(6), the Court denies Plaintiff’s motion for reconsideration (Doc. 97). *See Prudential Ins. Co. of Am. v. Nat’l Park Med. Ctr., Inc.*, 413 F.3d 897, 903 (8th Cir. 2005) (finding that Rule 60(b) relief is an “extraordinary remedy” that is justified only in “exceptional circumstances”).

Plaintiff also requests that the Court direct Crossroads Correctional Center to fire Defendant Stupnianek from her employment. Plaintiff has asserted no basis under which the Court has authority to order this, nor does the Court find that Plaintiff has presented any basis to support his contention that the Defendant is improperly interfering or influencing Plaintiff’s witnesses. Accordingly, the Court denies Plaintiff’s motion to preserve lawsuit (Doc. 98).

IT IS SO ORDERED.

/s/ Greg Kays

GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT

DATED: December 3, 2012