

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

LIONEL ELLISON,

Petitioner,

vs.

MICHAEL FLETCHER

Respondent.

Cause No. CV 17-168-BLG-DLC

ORDER

This matter was dismissed with prejudice on February 25, 2020, as time-barred without excuse. (Doc. 32.) Ellison has repeatedly sought to either reopen this matter or obtain relief from the judgment. (Docs. 40, 42, and 49.) This Court has repeatedly explained the basis for denying Ellison post-judgment relief. (Docs. 41, 44, and 51.)

Ellison has also sought review at the Circuit in this matter. He was denied a certificate of appealability in the underlying petition. *See Ellison v. Fletcher*, Cause No. 20-35189, Or. (9<sup>th</sup> Cir. May 15, 2020). He was denied a certificate of appealability relative to his Fed. R. Civ. P. 60(b) motion. *See, Ellison v. Fletcher*, Cause No. 21-35669, Or. (9<sup>th</sup> Cir. Feb. 2, 2022). Similarly, he was denied a writ of mandamus. *Ellison v. United States District Court, et al.*, Cause No. 22-70043, Or.

(9<sup>th</sup> Cir. April 20, 2022).

Despite being advised by this Court that he was not to file any more documents in this closed matter, Ellison now seeks to alter the February 25, 2020 judgment under Fed. R. Civ. P. 59. *See* (Doc. 54.) Ellison provides no new basis for this request; he simply rehashes arguments that have been previously presented to the Court and rejected. The instant motion is no different and finds no basis in fact or law. Ellison may not continue to use the Court's time and resources filing baseless motions in closed matters.

Accordingly, the Court enters the following:

**ORDER**

1. Ellison's Motion to Alter the Judgment (Doc. 49) is DENIED.
2. This matter is CLOSED. The Court will not entertain further filings.

The Clerk of Court is directed to discard any future filings.

DATED this 15<sup>th</sup> day of September, 2022.

/s/ Dana L. Christensen  
Dana L. Christensen  
United States District Court