

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MICHAEL JOSEPH SIMS,	)	4:12CV3074
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
GARY B. RANDALL, et al.,	)	
	)	
Defendants.	)	

This matter is before the court on Plaintiff’s Motion to Alter or Amend Judgment, filed pursuant to [Federal Rule of Civil Procedure 59\(e\)](#). (Filing No. [10](#).) In his Motion, Plaintiff seeks reconsideration and reversal of the court’s June 11, 2012, Memorandum and Order which dismissed Plaintiff’s Complaint because it contained claims that could not be brought in an action under “[42 U.S.C. § 1983](#) until Plaintiff first obtains a favorable outcome in a habeas corpus or similar proceeding.” (Filing No. [8](#).) The court has carefully reviewed Plaintiff’s Motion and finds no good cause for amendment or alteration of any portion of its June 11, 2012, Memorandum and Order.

IT IS THEREFORE ORDERED that: Plaintiff’s Motion to Alter or Amend Judgment (filing no. [10](#)) is denied.

DATED this 20<sup>th</sup> day of July, 2012.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge

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