

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**CEVDET AKSUT VE OGULLARI
KOLL, STI.**

v.

ROBIN A. CAVUSOGLU, et al.

Civ. No. 14-3362 (WJM)

OPINION & ORDER

THIS MATTER comes before the Court on Plaintiff’s Motion for Reconsideration of an Order dated June 5, 2014, which vacated with prejudice a Temporary Restraining Order and Order to Show Cause. The Court will deny the Motion as untimely and meritless. The Court also admonishes Plaintiff to adhere strictly to the Federal Rules of Civil Procedure and the Local Civil Rules.

Plaintiff’s Motion for Reconsideration is governed by Local Civil Rule 7.1(i). Under the Rule, a motion for reconsideration must be filed within 14 days after the order is entered. *Mitchell v. Twp. of Willingboro Municipality Gov’t*, 913 F. Supp. 2d 62, 78 (D.N.J. 2012). A motion may properly be denied solely on the basis that it is not timely filed. *Id.* In fact, “[a]n untimely motion for reconsideration is ‘void and of no effect.’” *Adams USA, Inc. v. Reda Sports, Inc.*,

220 F. App'x 139, 141 (3d Cir. 2007) (*quoting Amatangelo v. Borough of Donora*, 212 F.3d 776, 780 (3d Cir. 2000)).

Plaintiff's Motion for Reconsideration was filed on June 20, 2014, fifteen days after the Order was entered on June 5th. As such, Plaintiff's Motion is untimely.

Notwithstanding the timeliness issue, the Plaintiff's Motion for Reconsideration lacks merit. A motion for reconsideration may be granted if: (1) an intervening change in the controlling law has occurred; (2) evidence not previously available has become available; or (3) it is necessary to correct a clear error of law or prevent manifest injustice. *See North River Insurance Co. v. CIGNA Reinsurance Co.*, 52 F.3d 1194, 1218 (3d Cir. 1995). The Plaintiff does not point to any intervening change in the law or new evidence that was not available when the Court rendered its decision. Plaintiff's arguments about manifest injustice are simply unconvincing.

Finally, the Court admonishes Plaintiff to adhere to all technicalities of the Federal Rules of Civil Procedure and the Local Civil Rules. Not only was the Motion for Reconsideration late, but Plaintiff also improperly submitted a Reply Brief to this Motion for Reconsideration without first seeking leave of the Court. This comes after Plaintiff failed to properly serve the underlying Temporary Restraining Order on the Defendants.

For the reasons set forth above,

IT IS on this 14th day of November, 2014 hereby

ORDERED that Plaintiff's Motion for Reconsideration is **DENIED**.

/s/ William J. Martini

WILLIAM J. MARTINI, U.S.D.J.