

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**MURRAY MARTIN,**

**Plaintiff,**

**v.**

**5:06-CV-10  
(FJS/DEP)**

**MICHAEL HANUSCZAK, Family Court Judge;  
FRANK KILLIAN; and NILES GREENHOUSE,**

**Defendants.**

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**APPEARANCES**

**MURRAY MARTIN**  
Brewerton, New York  
Plaintiff *pro se*

**SCULLIN, Chief Judge**

**ORDER**

Currently before the Court is Plaintiff's motion for reconsideration of this Court's January 4, 2006 Order denying his motion for a temporary restraining order. *See* Dkt. No. 8. As this Court has previously noted, "[a] motion for reconsideration is not to be used as a second opportunity to advance arguments already rejected, or to present evidence that was available but not previously introduced." *ITT Commercial Fin. Corp. v. Harsco Corp.*, No. 91 CV 0793, 1999 WL 6922, \*1 (N.D.N.Y. Jan. 6, 1999) (citation omitted). Moreover, as the Court explained, "[t]he grounds justifying reconsideration are: (1) an intervening change in controlling law; (2) the availability of new evidence; and (3) the need to correct a clear error or prevent manifest injustice." *Id.* (citations omitted).

Although Plaintiff has submitted some additional exhibits and photographs in support of

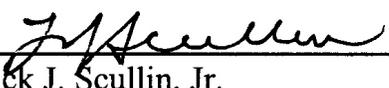
his motion for reconsideration, none of these documents convinces the Court that it should reconsider its previous decision to deny Plaintiff's motion for a temporary restraining order.

Accordingly, the Court hereby

**ORDERS** that Plaintiff's motion for reconsideration of the Court's January 4, 2006 Order denying his motion for a temporary restraining order is **DENIED**.

**IT IS SO ORDERED.**

Dated: January 5, 2006  
Syracuse, New York

  
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Frederick J. Scullin, Jr.  
Chief United States District Court Judge