

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TERRY HUGHES,

Plaintiffs,

04 CV 7030 (KMW)  
OPINION AND ORDER

-against-

SADDLE RIVER POLICE CHIEF TIMOTHY  
MCWILLIAMS, et al.,

Defendants.

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KIMBA M. WOOD, U.S.D.J.

Plaintiff Terry Hughes ("Plaintiff"), proceeding *pro se*, brought this action against Defendants, who are New York state police and prison officials and officers of the Federal Bureau of Investigations. Plaintiff alleges that Defendants committed various unconstitutional acts against him. In a June 18, 2008 order, the Court dismissed all but two of Plaintiff's claims. Plaintiff moves for reconsideration of the Court's decision to dismiss his claims.<sup>1</sup>

The standard for a motion for reconsideration is strict. A court will generally deny reconsideration unless the moving party can establish: (1) that the court overlooked controlling decisions or data; (2) that there has been a change in

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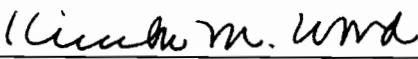
<sup>1</sup> Plaintiff does not specify under which rule he seeks reconsideration of the Order. The Court treats Plaintiff's motion as one brought pursuant to Federal Rule of Civil Procedure 59(e).

decisions or data; (2) that there has been a change in controlling law; (3) that new evidence has become available; or (4) that reconsideration is necessary to correct a clear error or prevent manifest injustice. Shrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995). Courts should not grant reconsideration when the moving party seeks solely to relitigate an issue already decided. Shamis v. Ambassador Factors Corp., 187 F.R.D. 148, 151, (S.D.N.Y. 1999) (internal quotations and citations omitted).

Plaintiff vigorously disputes the Court's factual and legal conclusions, but does not state any reason for the Court to reconsider its decision to dismiss his claims. The Court DENIES Plaintiffs' motion for reconsideration.

SO ORDERED.

DATED: New York, New York  
September 16, 2009

  
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KIMBA M. WOOD  
United States District Judge