

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

STEPHEN THOMAS YELVERTON, )  
Plaintiff, )  
v. ) No. 5:15-CV-00134-F  
PHYLLIS Y. EDMUNDSON and )  
YELVERTON FARMS, LTD., )  
Defendants. )  
\_\_\_\_\_ )

STEPHEN THOMAS YELVERTON, )  
Plaintiff, )  
v. ) No. 5:16-CV-00031-F  
YELVERTON FARMS, LTD. )  
Defendant. )  
\_\_\_\_\_ )

This matter is before the court on Plaintiff Stephen Thomas Yelverton's motion [DE-40] seeking the court's reconsideration of its October 27, 2015 order [DE-35] denying Plaintiff leave to amend his complaint in case number 5:15-CV-00134-F, finding that the motion to amend was in bad faith.<sup>1</sup>

Generally, motions for reconsideration are allowed only at the discretion of the court and only under certain circumstances. *See Ga.-Pac. Consumer Prods. v. Von Drehle Corp.*, 815 F. Supp. 2d 927, 929 (E.D.N.C. 2011). Those circumstances are typically (1) to correct manifest errors of law or fact or (2) to consider newly discovered evidence. *See id.* Motions to reconsider "are improper if they serve merely to ask the Court 'to rethink what the Court had already

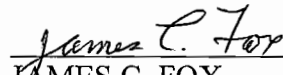
<sup>1</sup> The instant motion is intended to replace a previously filed motion [DE-37] for reconsideration.

thought through-rightly or wrongly.” See *id.* (quoting *Above the Belt, Inc. v. Mel Bohannon Roofing, Inc.*, 99 F.R.D. 99, 101 (E.D. Va. 1983)).

Having reviewed the case and considered the parties’ arguments, the court concludes that there was no manifest error of law or fact in its October 27, 2015 order, nor does Plaintiff present newly discovered evidence to justify reconsideration of that decision. Accordingly, Plaintiff’s motion [DE-40] for reconsideration in case number 5:15-CV-00134-F is DENIED and Plaintiff’s previously filed motion [DE-37] in case number 5:15-CV-00134-F is deemed WITHDRAWN.

SO ORDERED.

This, the 30th day of June, 2016.

  
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JAMES C. FOX  
Senior United States District Judge