

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:09-cv-00257-W

VICTOR B. WHITE,)
)
 Plaintiff,)
)
 vs.)
)
 MR. SMEREKA, MR. TAYLOR, MR.)
 MOSS, MS. SARGENT, MS. SMITH,)
 MR. PAULAK, MS. CHILDS, MS.)
 TIMMER, MS. SERGEANT, and)
 CITY OF CHARLOTTE,)
)
 Defendant.)
)
)

ORDER

THIS MATTER is before the Court on Plaintiff’s “Motion to Set Aside Order and/or Reconsideration,” filed *pro se* (Doc. No. 66). Having considered the record, including the instant Motion, the Court DENIES Plaintiff’s Motion.

Review of the record indicates that Plaintiff has repeatedly sought reconsideration of numerous motions in this case. The Court recently granted Defendant City of Charlotte’s Motion to Dismiss (Doc. No. 50) and Defendant Anthony Smereka’s Motion to Dismiss (Doc. No. 47) on June 14, 2010 (Doc. No. 63). Plaintiff is proceeding *pro se* and now seeks reconsideration of those motions and the Court’s order. Plaintiff also moves to submit evidence and claims the Court should enter a case management order to allow discovery. However, discovery may not proceed when judgment has been rendered and the case is closed.


Plaintiff’s motion does not offer any new arguments that were not previously raised in Plaintiff’s responses to Defendants’ motions to dismiss. The Court carefully reviewed those arguments before granting Defendants’ motions to dismiss. The Court hereby incorporates the

reasoning from all previous oral and written orders pertaining to this matter. Accordingly, Plaintiff pending motion does not persuade the Court to reconsider its previous ruling.

IT IS THEREFORE ORDERED that Plaintiff's "Motion to Set Aside Order and/or Reconsideration" (Doc. No. 66) is DENIED.

IT IS SO ORDERED.

Signed: June 29, 2010



Frank D. Whitney
United States District Judge

