

Rule 60(b) does not permit parties to relitigate the merits of claims, or to raise new claims that could have been raised prior to dismissal of the case.¹ A movant therefore fails to demonstrate entitlement to relief under Rule 60(b) when he or she simply rephrases prior allegations.²

Plaintiff indicates he is relying on 60(b)(6) “for any other reason justifying relief from the operation of the judgment.” Relief from judgment under Rule 60(b)(6) is available only in exceptional or extraordinary circumstances.³ Plaintiff has not presented evidence of “exceptional or extraordinary circumstances” that would justify relief from the Court’s judgment under Rule 60(b)(6). Instead, he restates his Complaint and contends it has merit. Rule 60(b)(6) does not provide an opportunity to reargue the merits of his claims.

IV. Conclusion

Accordingly, Plaintiff’s Motion for Relief from Judgment (Doc. No. 6) is denied.

IT IS SO ORDERED.

Dated: October 2, 2018

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

¹ In re Abdur'Rahman, 392 F.3d 174, 179-80 (6th Cir. 2004).

² Johnson v. Unknown Dellatifa, 357 F.3d 539, 543 (6th Cir. 2004).

³ McCurry ex. rel. Turner v. Adventist Health Sys./Sunbelt, Inc., 298 F.3d 586, 596 (6th Cir. 2002); Olle v. Henry & Wright Corp., 910 F.2d 357, 365 (6th Cir. 1990).