

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Otto Harris,

Case No. 4:14 CV 1463

Petitioner,

MEMORANDUM OPINION  
AND ORDER

-vs-

JUDGE JACK ZOUHARY

Joe Coakley, *Warden*,

Respondent.

**INTRODUCTION**

*Pro se* Petitioner Otto Harris has filed a Motion for Reconsideration (Docs. 6 & 6-1) of this Court's prior Order denying his Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. 4). With the request for reconsideration, Petitioner has included an "Amendment to Memorandum of Law" in which he argues this Court wrongly denied application of the safety valve provision in 28 U.S.C. § 2255 to his case (Doc. 6). For the reasons stated below, the Motion is denied.

**STANDARD**

In this Circuit, any motion for reconsideration of a judgment is construed as a motion to alter or amend judgment pursuant to Federal Civil Rule 59(e). *See Moody v. Pepsi-Cola Metro. Bottling Co.*, 915 F.2d 201, 206 (6th Cir. 1990). Motions to alter or amend judgment may be granted if there is a clear error of law, newly discovered evidence, an intervening change in controlling law, or to prevent manifest injustice. *GenCorp, Inc. v. Am. Int'l Underwriters*, 178 F.3d 804, 834 (6th Cir. 1999) (citations omitted). Rule 59(e) may not be used by a party to simply relitigate issues already

