

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>GREGORY T. HOWARD,</b>	:	
	:	
<b>Plaintiff,</b>	:	<b>Case No. 2:07-CV-0514</b>
	:	
<b>v.</b>	:	<b>Judge Algenon L. Marbley</b>
	:	<b>Magistrate Judge Terrence Kemp</b>
<b>OHIO SUPREME COURT, et al.,</b>	:	
	:	
<b>Defendants.</b>	:	

**ORDER**

This matter is before the Court on Plaintiff, Gregory T. Howard’s (“Howard”) Motion to Set Aside. (Doc. 240.) Howard argues that pursuant to Federal Rule of Civil Procedure 60(b) “mistake, inadvertence, surprise, or excusable neglect” provides a basis for relief. Fed. R. Civ. P. 60(b). On June 9, 2008, Howard was ordered to obtain leave of this Court before filing any subsequent motions. (Doc. 224.) On July 15, 2009, this Court denied Howard’s request to vacate this Court’s prior order dismissing his Complaint and Amended Complaint for failure to state a claim upon which relief can be granted and for lack of jurisdiction. (Doc. 239.) Subsequent to Howard’s filing of the Motion to Set Aside, the Sixth Circuit<sup>1</sup> affirmed the judgments of this Court and the Supreme Court denied certiorari. (Docs. 242, 246.) Howard’s Motion is therefore **DENIED.**

**IT IS SO ORDERED.**

s/Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT COURT**

**Dated: December 22, 2009**

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<sup>1</sup>The Sixth Circuit denied all pending motions and directed the Clerk's Office “not to accept any additional filings from Howard in this appeal, other than a properly filed motion for panel rehearing or a petition for rehearing en banc.” (Doc. 242.)