

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HILTON KARRIEM MINCY,	:	CIVIL ACTION NO. 1:07-CV-0790
	:	
Plaintiff,	:	(Judge Conner)
	:	
v.	:	
	:	
EDWARD KLEM, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 30th day of August, 2012, upon consideration of plaintiff's "motion for reconsideration or reargument of this District's Order (Doc. 202) granting defendants' motion for summary judgment" (Doc. 204), and it appearing that plaintiff fails to demonstrate one of three major grounds for reconsideration ((1) an intervening change in controlling law; (2) the availability of new evidence [not available previously]; [or], (3) the need to correct clear error [of law] or prevent manifest injustice.")), North River Ins. Co. v. Cigna Reinsurance Co., 52 F.3d 1194, 1218 (3d Cir. 1995) (collecting cases); see Waye v. First Citizen's Nat'l Bank, 846 F. Supp. 310, 314 (M.D. Pa.) ("A motion for reconsideration is not to be used to reargue matters already argued and disposed of."), aff'd, 31 F.3d 1174 (3d Cir. 1994); see also Database America, Inc. v. Bellsouth Adver. & Publ'g Corp., 825 F. Supp. 1216, 1220 (D.N.J. 1993) (citations omitted) ("A party seeking reconsideration must show more than a disagreement with the Court's decision, and 'recapitulation of the cases and arguments considered by the court before rendering its original decision fails to

carry the moving party's burden.'"), but, rather, reargues matters already argued and disposed of by the Court, it is hereby ORDERED that:

1. Plaintiff's "motion for reconsideration or reargument of this District's Order (Doc. 202) granting defendants' motion for summary judgment" (Doc. 204) is DENIED.
2. Plaintiff's "motion for depositions pending appeal" (Doc. 213) is DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge