

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

STEWART C. SMITH	:	CIVIL ACTION NO. 1:09-CV-0889
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
OFFICER JOHN HANUSKA and DAVID BIXLER	:	
	:	
Defendants	:	

ORDER

AND NOW, this 6th day of April, 2011, upon consideration of the motion for reconsideration (Doc. 98) filed by plaintiff Stewart C. Smith (“Smith”), wherein Smith seeks reconsideration of the memorandum and order of court (Doc. 92) dated March 17, 2011 (hereinafter “the March 17 order”), denying Smith’s motion for summary judgment and reasserts his argument that summary judgment in his favor is warranted on grounds that defendant Officer John Hanuska failed to establish reasonable suspicion or probable cause for the stop and arrest of Smith, and it appearing that the purpose of a motion for reconsideration is to present newly discovered evidence or to correct manifest errors of law or fact, see Harsco Corp. v. Zlotnicki, 779 F.2d 906, 909 (3d Cir. 1985), that the court possesses inherent power to reconsider its orders “when it is consonant with justice to do so,” United States v. Jerry, 487 F.2d 600, 605 (3d Cir. 1973); Alea N. Am. Ins. Co. v. Salem Masonry Co. 301 F. App’x 119, 121 (3d Cir. 2008), and that a party may not invoke a motion for reconsideration as a means to relitigate matters of disagreement with the court, see

Abu-Jamal v. Horn, No. Civ. A. 99-5089, 2001 WL 1609761, at *9 (E.D. Pa. Dec. 18, 2001), and the court concluding that Smith has neither presented newly discovered evidence nor demonstrated that the March 17 order contains a manifest error of law or fact, and that his motion for reconsideration merely seeks to relitigate a “point of disagreement between the Court and the litigant,” Abu-Jamal, 2001 WL 1609761, at *9; see also Ogden v. Keystone Residence, 226 F. Supp. 2d 588, 606 (M.D. Pa. 2002), it is hereby ORDERED that the motion for reconsideration (Doc. 98) is DENIED.

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