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

CLARENCE D. SCHREANE,

    Petitioner,

        v.

JEFF THOMAS, Warden, et al.,

    Respondents.

CIVIL ACTION NO. 3:CV-14-0246
(JUDGE CAPUTO)

MEMORANDUM ORDER

Presently before the Court is Petitioner Clarence Schreane's Motion for Reconsideration (Doc. 23) of my October 30, 2014 order (Doc. 22). In that order, I adopted the Magistrate Judge's Report and Recommendation dismissing Mr. Schreane's *habeas corpus* petition and denying his request for a polygraph exam. Because Petitioner Schreane fails to demonstrate a change in controlling law, new evidence, or clear error of law or fact in the order, I will *deny* his Motion for Reconsideration.

A motion for reconsideration is governed by Federal Rule of Civil Procedure 59(e), which allows a party to move to alter or amend a judgment within twenty-eight days of the judgment's entry. Fed. R. Civ. P. 59(e). A party may not use a motion for reconsideration to merely reargue issues that the court has already determined. *Ogden v. Keystone Residence*, 226 F. Supp. 2d 588, 606 (M.D. Pa. 2002). Reconsideration of judgment is only appropriate where the moving party has demonstrated "(1) an intervening change in the controlling law; (2) the availability of new evidence that was not available when the court granted the motion . . . or (3) the need to correct a clear error of law or fact to prevent manifest injustice." *Max's Seafood Café ex rel. Lou–Ann, Inc. v. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999).

Petitioner Schreane has not shown any of the above three (3) grounds for reconsideration. Instead, his motion reargues issues that I have already determined, and asks that I waive the requirements of the law. Thus, reconsideration of the October 30, 2014 order is not warranted.

ACCORDINGLY, this _30th_ day of January, 2015, **IT IS HEREBY ORDERED** that Petitioner's Motion for Reconsideration (Doc. 23) is **DENIED.** The Clerk of Court is instructed to mark this case as **CLOSED**.

A. Richard Caputo
United States District Judge