

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

CARL MAXWELL SMITH-BEY,

Plaintiff

v.

WILLIAM ALTMANSHOFER,

Defendant

Civil No. 3:14-cv-2029

(Judge Mariani)

FILED
SCRANTON

NOV 08 2022

PER

DEPUTY CLERK

ORDER

AND NOW, this 8th day of November, 2022, upon consideration of Plaintiff's

second motion¹ (Doc. 25) for relief from judgment pursuant to Federal Rule of Civil Procedure 60(b), wherein he seeks reconsideration of the Court's Order entered on July 6, 2015 (Doc. 21), and it appearing that Plaintiff's present motion filed on November 7, 2022 is patently untimely, as he filed the motion more than one year after the Court dismissed his case, and the Court finding that the instant motion filed more than seven years after the July 6, 2015 Order is not a "reasonable time", see FED. R. CIV. P. 60(c)(1) ("[a] motion under Rule 60(b) must be made within a reasonable time--and for reasons (1), (2), and (3) no more than a year after the entry of the judgment or order or the date of the proceeding"),

¹ Plaintiff's instant motion is a duplicate copy of his previous motion for relief from judgment filed on October 27, 2022. (See Doc. 23).

IT IS HEREBY ORDERED THAT the Rule 60(b) motion (Doc. 25) is **DENIED** as untimely.

A handwritten signature in black ink, appearing to read "R. Mariani", written over a horizontal line.

Robert D. Mariani
United States District Judge