

because Defendants are immune from suit. (*Id.* at 3.) Pursuant to the Magistrate Judge’s Report, Plaintiff had until December 30, 2017, to file an Objection to the Report. (ECF No. 8.) Plaintiff timely filed an Objection to the Report. (ECF No. 10.) On October 10, 2018, the court accepted the Report and dismissed the Complaint with prejudice. (*Id.* at 4.) On October 24, 2018, Plaintiff filed a Motion for Reconsideration (ECF No. 16).

II. STANDARD OF REVIEW

Pursuant to Federal Rule of Civil Procedure 59(e), a court may “alter or amend [a] judgment if the movant shows either (1) an intervening change in the controlling law, (2) new evidence that was not available at trial, or (3) that there has been a clear error of law or manifest injustice.” *Robinson*, 599 F.3d at 407 (citation omitted). It is the moving party’s burden to establish one of these three grounds in order to obtain relief under Rule 59(e). *Loren Data Corp. v. GXS, Inc.*, 501 F. App’x 275, 285 (4th Cir. 2012). The decision whether to reconsider an order pursuant to Rule 59(e) is within the discretion of the district court. *See Hughes v. Bedsole*, 48 F.3d 1376, 1382 (4th Cir. 1995). Furthermore, “reconsideration of a judgment after its entry is an extraordinary remedy which should be used sparingly.” *Pac. Ins. Co. v. Am. Nat’l Fire Ins. Co.*, 148 F.3d 396, 403 (4th Cir. 1998) (citation omitted).

Lastly, the court is required to interpret *pro se* documents liberally and will hold those documents to a less stringent standard than those drafted by attorneys. *See Gordon*, 574 F.2d at 1151; *see also Hardin v. United States*, C/A No. 7:12–cv–0118–GRA, 2012 WL 3945314, at *1 (D.S.C. Sept. 10, 2012).

III. DISCUSSION

The court construes Plaintiff’s Motion only under Rule 59(e) and analyzes it under the above legal standards. *Robinson*, 599 F.3d at 412 (holding that a district court should only analyze

a motion under Rule 59(e) when that motion is filed under both Rule 59(e) and Rule 60(b)). In Plaintiff's Motion, there is not a suggestion about an intervening change in the controlling law. (ECF No. 16.) Nor does Plaintiff's Motion allege that there is new evidence that was not previously available. (*Id.*) Thus, Plaintiff's Motion may only be granted in the event that there is "a clear error of law or manifest injustice." *Robinson*, 599 F.3d. at 407. Plaintiff's Motion does not allege a clear error of law or manifest injustice. (ECF No. 16.) Plaintiff states he disagrees with the finding of the court but does not allege any basis for that disagreement that would meet the requirements of Rule 59(e). (*Id.*) Further, Plaintiff does not assert any disagreement with the court's finding that Defendants are immune from the suit. (*See id.*) As such, the court stands by the ruling in its October Order that Defendants are immune from the suit (ECF No. 16).

IV. CONCLUSION

After careful consideration of Plaintiff's arguments, and for the reasons set forth above, the court **DENIES** Plaintiff's Motion for Reconsideration (ECF No. 16).

IT IS SO ORDERED.


United States District Judge

November 14, 2018
Columbia, South Carolina