

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Clarence L. Rhodes,	)	C/A No.: 1:20-1725-JFA-SVH
	)	
Petitioner,	)	
	)	
vs.	)	ORDER
	)	
Warden Bryan K. Dobbs,	)	
	)	
Respondent.	)	
	)	

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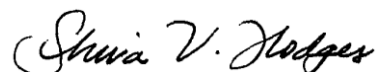
Clarence L. Rhodes (“Petitioner”), proceeding pro se and in forma pauperis, filed this action seeking habeas corpus relief pursuant to 28 U.S.C. § 2241. This matter was referred to the undersigned for all pretrial proceedings pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civ. Rule 73.02(B)(2)(c) (D.S.C.). This matter is before the court on Petitioner’s motion for reconsideration of the undersigned’s denial of his motion for bond and expedited review. [ECF No. 22]. For the reasons that follow, Petitioner’s motion is denied.

Motions for reconsideration of interlocutory orders are appropriately granted only in narrow circumstances: (1) the discovery of new evidence, (2) an intervening development or change in the controlling law, or (3) the need to correct a clear error or prevent manifest injustice. *American Canoe Ass’n v. Murphy Farms, Inc.*, 326 F.3d 505 (4th Cir. 2003). Petitioner has not

identified any of the narrow circumstances appropriate for granting a motion to reconsider.

Instead, Petitioner argues he has met the standard in *United States v. Eliely*, 276 F. App'x 270, (4<sup>th</sup> Cir. 2008), because he has shown substantial constitutional claims on which he has a high probability of success, and exceptional circumstances making a grant of bail necessary for the habeas remedy to be effective. The court disagrees. Although Plaintiff relies on the Fourth Circuit Court of Appeals decision in *United States v. Gary*, the Fourth Circuit has yet to issue the mandate in *Gary*. In addition, the court is not persuaded by Petitioner's argument that his race (African American) and age (over 40) place him at such a high risk for contracting COVID-19 that it constitutes exceptional circumstances making a grant of bail necessary. [ECF No. 22]. Petitioner's motion for reconsideration is denied.

IT IS SO ORDERED.



September 4, 2020  
Columbia, South Carolina

Shiva V. Hodges  
United States Magistrate Judge