

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

George Cleveland,)
)
Plaintiff,)

C.A. No. 8:09-626-HMH-WMC

vs.)

OPINION & ORDER

City of Seneca SC; Bonnie Moses,)
individually and in her official capacity as)
election manager, director, poll worker for)
the City of Seneca SC; Rick Lacey,)
individually and in his official capacity as)
Seneca Recreation Director; Terry Mullikin,)
individually and in his official capacity as a)
grounds man employed by the Seneca)
Recreation Department; Mayor Pro Tem)
Ronnie O’Kelly, individually and in his)
official capacity as Mayor Pro Tem for the)
City of Seneca; Seneca Police Department;)
Police Chief John Covington, individually)
and in his official capacity as Police Chief)
for the City of Seneca; Officer(s) John)
Doe(s) in their official capacity as police)
officers for the City of Seneca,)
)
Defendants.)

This matter is before the court on George Cleveland’s (“Cleveland”) motion for reconsideration. For the reasons stated below, the court denies Cleveland’s motion.

The “district court retains the power to reconsider and modify its interlocutory judgments . . . at any time prior to final judgment when such is warranted.” Am. Canoe Ass’n v. Murphy Farms, Inc., 326 F.3d 505, 514-15 (4th Cir. 2003). Further, “[m]otions for reconsideration of interlocutory orders are not subject to the strict standards applicable to motions for reconsideration of a final judgment.” Id. at 514.

Cleveland moves for reconsideration of this court's October 15, 2009 Order denying his motion for default judgment against Defendants. In the instant motion, Cleveland reasserts his arguments and presents no new facts or evidence which alter the court's findings. Therefore, for the reasons set forth in the court's October 15, 2009 Order, the court reaffirms its findings and denies Cleveland's motion for reconsideration.

It is therefore

ORDERED that Cleveland's motion for reconsideration, docket number 46, is denied.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
November 2, 2009

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.