



under Rule 59(b); (3) fraud ..., misrepresentation, or misconduct by an opposing party; (4) the judgment is void; (5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or (6) any other reason that justifies relief.

After careful consideration of petitioner's motion, the court is of the opinion that the motion fails to set forth a meritorious ground warranting relief under either Rule 59 or Rule 60(b). All of petitioner's claims which do not contest the validity of the disciplinary report at issue in this petition were severed to proceed as a separate civil rights action. *See Taylor v. Livingston*, 9:16cv171. For the reasons set forth in the Report and Memorandum Order previously entered in this action, petitioner's claims are without merit. Therefore, petitioner's motion for reconsideration should be denied.

#### **ORDER**

For the reasons set forth above, petitioner's motion for reconsideration is without merit. It is therefore,

**ORDERED** that petitioner's motion for reconsideration is **DENIED**.

So **ORDERED** and **SIGNED** this **29** day of **December, 2016**.



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Ron Clark, United States District Judge