

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

WILLIAM B. BOWERS,
Petitioner,

v.

Case No. 02-cv-1034

JUDY P. SMITH, Warden,
Oshkosh Correctional Institution,
Respondent.

ORDER

Pro se petitioner William Bowers filed a petition for federal habeas relief under 28 U.S.C. § 2254. I concluded that the only two claims for federal relief that petitioner had not procedurally defaulted on in state court were his claim that he was deprived of his Fifth Amendment right against self-incrimination and his ineffective assistance of trial counsel claim for failure to challenge the prosecutor's alleged breach of the plea agreement. I then concluded that the state court's decisions on these two issues were not contrary to or an unreasonable application of clearly established federal law and denied the petition. Petitioner now asks me to reconsider my decision.

Having reviewed plaintiff's motion for reconsideration, I see no basis for reconsidering my initial decision. First, petitioner's arguments in his reconsideration motion are related to the merits of claims that I deemed were procedurally defaulted and thus could not address on the merits. Second, I note that I may not review the merits of petitioner's claims de novo, rather I may only grant federal habeas relief if the state court decision was contrary to or involved an unreasonable application of clearly established federal law. 28 U.S.C. § 2254. Nothing in petitioner's reconsideration motion leads me to

conclude that the state court decisions were unreasonable.

THEREFORE, IT IS ORDERED that petitioner's motion for reconsideration (ECF No. 64) is **DENIED**.

Dated at Milwaukee, Wisconsin, this 20th day of March, 2015.

s/ Lynn Adelman

LYNN ADELMAN
District Judge