

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

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**CHRISTOPHER SEILER,**

Petitioner,

-vs-

**Case No. 12-C-262**

**WILLIAM POLLARD, Warden,  
Waupun Correctional Institution,**

Respondent.

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**DECISION AND ORDER**

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Christopher Seiler moves to reconsider the Court's denial of his petition for a writ of habeas corpus. Seiler's motion was filed within 28 days of the entry of judgment, so it is properly construed as a motion under Federal Rule of Civil Procedure 59(e) and therefore not a second or successive motion. *Curry v. United States*, 307 F.3d 664, 666 (7<sup>th</sup> Cir. 2002); *Howard v. United States*, 533 F.3d 472, 474 (6<sup>th</sup> Cir. 2008). Seiler fails to establish that there was a manifest error of law or fact. *Harrington v. City of Chi.*, 433 F.3d 542, 546 (7<sup>th</sup> Cir. 2006). Seiler also moves to reconsider the Court's refusal to issue a certificate of appealability; as before, the Court concludes that there has not been a substantial showing of the deprivation of a constitutional right.

Seiler's motions to reconsider [ECF Nos. 21, 22] are **DENIED**.

Dated at Milwaukee, Wisconsin, this 15th day of May, 2013.

**BY THE COURT:**

  
**HON. RUDOLPH T. RANDA**  
**U.S. District Judge**