

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

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 13-C-1304
(Criminal Case No. 10-Cr-121)

RONALD L. JOHNSON,

Movant.

ORDER

Pro se Movant Ronald L. Johnson filed a motion to amend or correct (ECF No. 32) pursuant to Rule 59(e) of the Federal Rules of Civil Procedure with respect to the Court's November 9, 2015, Decision and Order and November 10, 2015, Judgment denying his motion to vacate, set aside or vacate judgment pursuant to 28 U.S.C. § 2255 and denying a certificate of appealability.

Rule 59(e) permits a court to amend a judgment only if the movant demonstrates a manifest error of law or fact or presents newly discovered evidence. *See, e.g., Miller v. Safeco Ins. Co. of Am.*, 683 F.3d 805, 813 (7th Cir. 2012). "This rule enables the court to correct its own errors and thus avoid unnecessary appellate procedures." *Id.* (internal citation and quotation marks omitted). The decision to grant or deny a Rule 59(e)

motion is entrusted to the “sound judgment” of the district court. *Id.* The arguments presented and case law cited in Johnson’s motion do not establish that the Court committed a manifest error of law or fact and, therefore, do not provide a basis for amending or altering the prior decision or issuing a certificate of appealability and therefore Johnson’s motion to amend or alter judgment (ECF No. 32) is **denied**. The Court also **declines to issue a certificate of appealability**.

SO ORDERED Dated at Milwaukee, Wisconsin, this 26th day of January, 2016.

BY THE COURT:


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