



Activity in Case 1:12-cv-00806-EGS MAGRITZ v. OZAUKEE COUNTY et al
Order

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U.S. District Court

District of Columbia

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Case Name: MAGRITZ v. OZAUKEE COUNTY et al

Case Number: 1:12-cv-00806-EGS

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WARNING: CASE CLOSED on 08/30/2012

Document Number: No document attached

Docket Text:

MINUTE ORDER. On August 30, 2012, the Court dismissed this case for the grounds stated in the Memorandum Opinion issued on that date. Plaintiff subsequently filed a document titled "Non-Acquiescence, Non-Consent, Non-Acceptance of Abnegation, Breach of Fiduciary Duty, and 'Order' by Officers of This Court." ECF No. 33. The document attaches the Court's August 30, 2012 Memorandum Opinion and Order, on which plaintiff has handwritten "CANCELLED, Non-Acquiescence, Non-Consent, Non-Acceptance." Because plaintiff's filing seeks to challenge the validity of the Court's August 30, 2012 Memorandum Opinion and Order, the Court will treat it as a motion for reconsideration. Federal Rule of Civil Procedure 59(e) allows a party to file a Motion for Reconsideration, but such motions are disfavored and relief from judgment is granted only when the moving party establishes extraordinary circumstances. *Niedermeier v. Office of Baucus*, 153 F. Supp. 2d 23, 28 (D.D.C. 2001) (citing *Anyanwutaku v. Moore*, 151 F.3d 1053, 1057 (D.C. Cir. 1998)). A motion for reconsideration is not a second opportunity to present argument upon which the court has already ruled. *W.C. & A.N. Miller Cos. v. United States*, 173 F.R.D. 1, 3 (D.D.C. 1997). A Rule 59(e) motion is discretionary and need not be granted unless the district court finds that there is an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice. *Firestone v. Firestone*, 76 F.3d 1205, 1208 (D.C. Cir. 1996) (citation omitted). Plaintiff does not allege that there has been an intervening change of law or that new evidence has become available. Plaintiff alleges that there has been a "misapplication" of the Rooker-Feldman doctrine, but does not explain how that doctrine has been misapplied and cites no case

law in support of his argument. Plaintiff's other allegations are "little more than a rehash" of his previous arguments. See *Black v. Tomlinson*, 235 F.R.D. 532, 533 (D.D.C. 2006). Accordingly, [33] plaintiff's motion for Non-Acquiescence, Non-Consent, Non-Acceptance of Abnegation, Breach of Fiduciary Duty, and 'Order' by Officers of This Court is hereby DENIED. Signed by Judge Emmet G. Sullivan on September 14, 2012. (lcegs2)

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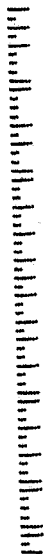
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