

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

MARVIN DAVIS,

Plaintiff,

vs.

CIVIL ACTION
No. 01-3186-GTV

CHARLES SIMMONS, et al.,

Defendants.

ORDER

By an order entered September 5, 2002, the court dismissed plaintiff's complaint without prejudice. On March 22, 2004, the court denied plaintiff's motion to alter and amend that judgment. On June 29, 2004, the Tenth Circuit Court of Appeals affirmed the final judgment entered in this matter. On January 10, 2005, the Supreme Court denied plaintiff's petition for writ of certiorari.

On February 24, 2005, plaintiff filed a motion for relief from judgment, Fed.R.Civ.P. 60(b)(6). The court denied the motion on April 18, 2005.

Before the court is plaintiff's motion for reconsideration of that court order, and supporting memorandum. Plaintiff repeats his assertions that the court erroneously interpreted and/or applied 42 U.S.C. 1997e(a) and relevant case law, and continues to argue the judgment entered in this matter is thereby void. Having reviewed plaintiff's pleading, the court finds no reason to disturb its determination that relief from judgment under Fed.R.Civ.P. 60(b) is not warranted in this matter.

IT IS, THEREFORE, BY THE COURT ORDERED that plaintiff's motion for reconsideration (Doc. 27) is denied.

IT IS SO ORDERED.

Dated at Kansas City, Kansas, this 18th day of May 2005.

/s/ G. T. VanBebber

G. T. VANBEBBER

United States Senior District Judge