

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

CHAUNCEY GRUENWALD,)
)
 Plaintiff,) **CIVIL ACTION**
)
 v.) No. 06-3340-MLB
)
 LEONARD MADDOX, et al.,)
)
 Defendants.)
 _____)

MEMORANDUM AND ORDER

This is a prisoner abuse case for which judgment was entered against Plaintiff on July 12, 2007. Plaintiff CHAUNCEY GRUENWALD, pro se, moves the court to alter or amend that judgment. (Doc. 39). For reasons stated herein, Plaintiff's motion to alter or amend the judgment is DENIED.

Plaintiff files his motion pursuant to Fed.R.Civ.Pro. 59(e). Plaintiff's motion is timely. In his "Memorandum in Support to Alter or Amend the Judgment" [sic] (Doc. 40), Plaintiff appears to raise the previously unmentioned claims that he did not have adequate access to the prison legal library and that his physical condition makes it difficult to do research. Construing the pleadings as liberally as is allowable, the court assumes that Plaintiff is asserting that the judgment is defective because he could not conduct proper legal research due to these two claimed problems.

The court finds Plaintiff's arguments unpersuasive. Given the copious citation to legal authority in the numerous pleadings filed by Plaintiff, the court cannot then say that Plaintiff lacked access to legal materials. To claim that his physical condition prevented him from conducting the necessary work to pursue his case is equally unpersuasive. Plaintiff filed three separate complaints, as well as a numerous other pleadings, totaling well over a hundred pages of material. A vast number of those pages are hand-written. Given the obvious amount of time spent preparing these documents, the court will not find that Plaintiff has been physically unable to adequately pursue his own legal action.

Even with the most liberal interpretation allowable, Plaintiff's motion does not present any basis to amend the judgment. Plaintiff claims that the judgment is defective, but fails to identify any deficiency. Therefore, Plaintiff's motion to amend the judgment is DENIED.

IT IS SO ORDERED.

Dated this 24th day of July 2007, at Wichita, Kansas.

s/Monti Belot
Monti L. Belot
UNITED STATES DISTRICT JUDGE