

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

DALE McCORMICK,

Plaintiff,

vs.

Case No. 07-2605-EFM

ROGER WERHOLTZ, et. al.,

Defendants.

MEMORANDUM AND ORDER

Presently before the Court is Plaintiff's motion for extension of time to file a motion to alter or amend judgment (Doc. 92). The Court DENIES Plaintiff's motion. The Court does not have the authority to extend the filing deadlines set forth in Fed. R. Civ. P. 59. Under Fed. R. Civ. P. 59, as amended December 1, 2009, Plaintiff's motion to alter or amend judgment must be filed no later than 28 days after the entry of the judgment.

Accordingly,

IT IS THEREFORE ORDERED that Plaintiff's motion for extension of time to file a motion to alter or amend judgment (Doc. 92) is hereby DENIED.

IT IS SO ORDERED.

Dated this 15th day of January, 2010, in Wichita, Kansas.

/s Eric F. Melgren

ERIC F. MELGREN

UNITED STATES DISTRICT JUDGE