

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WILLIAM J. KEEFE and
RANDY J. KEEFE,

Plaintiffs,

v.

RONALD A. ARTHUR
and KATHLEEN M. ARTHUR,
individually and in their official capacities
with named Enterprises herein,

Defendants.

OPINION AND ORDER

00-0016-C

In an opinion and order dated May 25, 2004, I granted defendants' motion to dismiss with respect to plaintiffs' federal claims. I declined to exercise supplemental jurisdiction over plaintiffs' state law claims. Plaintiffs have filed a motion titled "Motion to Modify the Court's Order of May 25, 2004 to Read 'Dismissal Without Prejudice' Pursuant to Rule 59(e) and 60(b) of the Federal Rules of Civil Procedure." In their brief in support of their motion, plaintiffs refer to an indictment against defendants issued by a grand jury in the Eastern District of Wisconsin for engaging in fraudulent acts before the bankruptcy court. Also, they make new allegations about improprieties surrounding Keefe v. Marquette

County, No. 99-C-1501-C (E.D. Wis.).

This new information cannot have any effect on the decision to dismiss with prejudice plaintiffs' federal claims. As I explained in the May 25, 2004 opinion and order, if plaintiffs believe that defendants obtained judgments fraudulently in other cases, their remedy must be with *those* courts. It is beyond my authority to invalidate a civil judgment or a bankruptcy proceeding before another court.

ORDER

IT IS ORDERED that the motion filed by plaintiffs William Keefe and Randy Keefe to "Modify the Court's Order of May 25, 2004 to Read 'Dismissal Without Prejudice' Pursuant to Rule 59(e) and 60(b) of the Federal Rules of Civil Procedure" is DENIED. Plaintiffs have 30 days from the date of this order in which to file a notice of appeal.

Entered this 10th day of June, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge