

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

GREGORY E. PALOIAN,

Plaintiff,

v.

JOSEPH SCIBANA,
Warden of Oxford Prison Camp,

Defendant.

ORDER

04-C-858-C

Petitioner has filed a “Motion to Reconsider” dated January 4, 2005, which I construe as a timely filed motion to alter or amend the December 22, 2004 judgment entered in this case dismissing petitioner’s petition for a writ of habeas corpus brought pursuant to 28 U.S.C. § 2241. In his motion, petition reargues matters I already considered when I dismissed his case. It is not the purpose of allowing motions for reconsideration to enable a party to complete presenting his case after the court has ruled against him. Frietsch v. Refco, Inc., 56 F.3d 825, 828 (7th Cir. 1995). Rather, the purpose of Rule 59 is to allow the district court to correct its own errors, sparing the parties and appellate courts the burden of unnecessary appellate proceedings. Charles v. Daley, 799 F.2d 343, 348 (7th Cir.

1986). Nothing in petitioner's motion convinces me that I erred in dismissing his case. Therefore, his motion will be denied.

The time for filing an appeal runs for all parties from the date of entry of an order disposing of a timely filed Rule 59 motion. See Fed. R. App. P. 4(A). Fed. R. App. P. 4(a)(1)(B) provides that when the United States or its officer or agency is a party, the notice of appeal may be filed by any party within 60 days after the judgment or order appealed from is entered. Therefore, if petitioner intends to file an appeal in this case, he has 60 days from the date of entry of this order in which to do so.

ORDER

IT IS ORDERED that petitioner's motion pursuant to Fed. R. Civ. P. 59 to alter or amend the judgment entered in this case on December 22, 2004, is DENIED.

Entered this 10th day of January, 2005.

BY THE COURT:

BARBARA B. CRABB
District Judge