

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

QUINTIN D. L'MINGGIO,

Plaintiff,

OPINION AND ORDER

v.

01-C-0559-C

PAMELA BARTELS, SHIRLEY OLSON,
DR. BOSTON, PATTY BOEBEL, JOLENE
MILLIN and SUZANE WATTERS,

Defendants.

On May 7, 2003, I granted defendants' motion for summary judgment in this case. Judgment of dismissal was entered on May 9, 2003. On May 27, 2003, plaintiff filed a "Motion for Reconsideration as to the Decision Rendered by the Hon. Barbara B. Crabb Granting the Defendants' Motion for Summary Judgment," which I construe as a timely filed motion to alter or amend the judgment pursuant to Fed. R. Civ. P. 59.

Because plaintiff's motion is merely a rehash of his prior arguments and nothing in it convinces me that I erred in granted defendants' motion for summary judgment, I will deny it. Plaintiff's timely filed Rule 59 motion stopped the clock running on the time period within which plaintiff had to appeal from the judgment. See Averhost v. Arrendondo, 773

F.2d 919, 920 (7th Cir. 1985). Entry of this decision starts the clock again. Therefore, plaintiff has 30 days from the date of entry of this order in which to file a notice of appeal, if he wishes to appeal.

ORDER

IT IS ORDERED that plaintiff Quintin L'Minggio's motion to alter or amend the judgment is DENIED.

Entered this 26th day of June, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge