

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

MARCELO SANDOVAL,

Petitioner,

v.

GINGER JONES, JAMES REED,
M. ASLAM, GENE WEGNER,
DAVID STEINER, ANTHONY
WALKER and VARIOUS UNKNOWN
BUREAU OF PRISON STAFF,

Respondents.

ORDER

04-C-263-C

Judgment dismissing this case was entered on June 16, 2004, after I determined that petitioner's complaint failed to state a claim upon which relief may be granted. Now petitioner has filed a motion to alter or amend the judgment pursuant to Fed. R. Civ. P. 59. However, the motion is nothing more than reargument of matters I have already considered. Therefore, petitioner's motion for relief from the June 16 judgment will be denied.

Motions pursuant to Rule 59 must be made within ten days of the date of entry of the judgment in a case. A timely filed motion extends the time for filing a notice of appeal, if an appeal is to be taken, to thirty days from the date of the entry of the order disposing

of the Rule 59 motion. See Fed. R. App. P. 4(a)(4)(A)(iv). Therefore, petitioner has thirty days from the date of entry of this order in which to file a notice of appeal.

ORDER

IT IS ORDERED that petitioner's motion to alter or amend the judgment entered in this case on June 16, 2004 is DENIED.

Entered this 22nd day of June, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge