

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

RICHARD TURNER,

ORDER

Petitioner,

11-cv-50-bbc

v.

JEFFREY PUGH, Warden,
Stanley Correctional Institution,

Respondent.

In a June 29, 2011 order, I denied petitioner Richard Turner's petition for a writ of habeas corpus under 28 U.S.C. § 2254. On September 9, 2011, petitioner filed a motion for an extension of time to file a motion for reconsideration of the June 29 order, stating that the time limit to file such a motion "unknowingly and inadvertently passed" because he lacks legal knowledge and training. Unfortunately for petitioner, I must deny the motion to the extent he seeks to file a motion to alter or amend the judgment under Fed. R. Civ. P. 59, because this court is forbidden from extending the 28-day deadline for such a motion. Fed. R. Civ. P. 6(b)(2) ("A court must not extend the time to act under [Rule] 59(b), (d), and (e).") That deadline passed on July 27, 2011.

Plaintiff may still file a motion for relief from the judgment under Fed. R. Civ. P. 60.

Such a motion must be filed “within a reasonable time,” and generally no more than a year from the judgment. Should plaintiff choose to file a Rule 60 motion, he should explain why he thinks he filed the motion within a reasonable time, given the length of time between the judgment and his motion.

ORDER

IT IS ORDERED that petitioner Richard Turner’s motion for an extension of time to file a motion for reconsideration of the court’s June 29, 2011 order is DENIED.

Entered this 11th day of October, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge