

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

JAEL SPEIGHTS,

Plaintiff,

v.

ORDER

LESLIE WINSLOW-STANLEY,
DYLON RADTKE, GREG GRAMS
and STACEY GRIMM, in their individual
and official capacities; and GARY HAMBLIN,
in his official capacity,

12-cv-202-slc

Defendants.

On June 18, 2012, I dismissed plaintiff Jael Speights's complaint for failure to state a claim. Speights alleged in his complaint that defendants Leslie Winslow-Stanley, Dylon Radtke, Greg Grams, Stacey Grimm and Gary Hamblin had violated his rights under the Fifth, Eighth, Thirteenth and Fourteenth Amendments when they eliminated his good time credit, extended his mandatory release date and sentenced him to eight days adjustment segregation and 360 days program segregation. Now before the court is Speights's motion to amend the judgment under Fed. R. Civ. P. 59(e). Dkt. 8. I am denying this motion.

The purpose of a Rule 59 motion is to bring to the court's attention newly discovered evidence or a manifest error of law or fact. *Bordelon v. Chicago School Reform Board of Trustees*, 233 F.3d 524, 529 (7th Cir. 2000). It is not intended as an opportunity to reargue the merits of a case. *Neal v. Newspaper Holdings, Inc.*, 349 F.3d 363, 368 (7th Cir. 2003). Nor is a Rule 59 motion intended as an opportunity for a party to submit evidence that could have been presented earlier. *Dal Pozzo v. Basic Machinery Co.*, 463 F.3d 609, 615 (7th Cir. 2006) (citing *Frietsch v. Refco, Inc.*, 56 F.3d 825, 828 (7th Cir. 1995)).

Speights has not presented any new evidence or argument. Instead, he reargues the merits of his case, claiming that unspecified evidence was not presented at the hearing, he has a right to

avoid atypical hardship, prison officials have duty to maintain accurate records and defendants used false evidence against him. These arguments fail for the reasons explained in the dismissal order.

Speights does cite *Redding v. Fairman*, 717 F.2d 1105 (7th Cir. 1983), for the proposition that prison officials must maintain “accurate records to protect inmates from collateral consequences based on a misunderstand[ing].” In that case, the Court of Appeals for the Seventh Circuit held that written records or summaries of disciplinary proceedings must adequately inform the inmate of the basis of the decision and the evidence underlying the ruling. *Id.* at 1114. With regard to Speights, as found in the screening order and the court’s previous order dismissing Speights’s habeas petition on the same grounds, the committee’s subsequent written statement appropriately detailed the evidence that it relied on and explained the reasons for the disciplinary action against Speights.

Speights has failed to show that the court relied on a manifest error of law or fact in dismissing his complaint.

ORDER

IT IS ORDERED that plaintiff Jael Speights’s motion to amend the judgment (dkt. 8) is DENIED.

Entered this 11th day of July, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge