

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

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CHARLES ANDERSON,

Petitioner,

ORDER

v.

12-cv-578-bbc

DEBORAH McCULLOCH, Director,  
Sand Ridge Secure Treatment Center,

Respondent.  
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Petitioner Charles Anderson is confined at the Sand Ridge Secure Treatment Center as a “sexually violent person” under Wis. Stat. ch. 980. Petitioner sought a writ of habeas corpus under 28 U.S.C. § 2254, arguing that he was denied supervised release without due process because there was insufficient evidence to prove that his continued confinement was required. This claim was rejected by the Wisconsin Court of Appeals, which concluded that petitioner did not satisfy all of the statutory criteria for supervised release found in Wis. Stat. § 980.08(4)(cg) and that the evidence was sufficient to support the circuit court’s decision. State v. Anderson, 2011 WI App 1004, 340 Wis. 2d 742, 813 N.W.2d 248 (March 22, 2012) (unpublished). On February 8, 2013, I denied his petition for a writ of habeas corpus and dismissed this case after concluding that the state court’s decision was neither contrary to nor an unreasonable application of clearly established federal law.

Petitioner has now filed a one-page request for “reconsideration,” which I construe

as a motion to alter or amend the judgment under Fed. R. Civ. P. 59(e). Petitioner objects to my failure to consider whether his continued confinement violates “the ex post facto provisions found in the state and federal constitutions.” As I explained previously, however, this claim and several others were barred from federal review by the doctrine of procedural default. Alternatively, I concluded that petitioner’s barred claims lacked merit. Petitioner does not demonstrate that any of the conclusions were made in error. What is more, he does not show that I failed to address his ex post facto claim. Accordingly, petitioner’s motion for reconsideration will be denied.

#### ORDER

IT IS ORDERED that petitioner Charles G. Anderson’s motion for reconsideration under Fed. R. Civ. P. 59(e) is DENIED.

Entered this 22d day of April, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge