

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PAUL C. MILLER, : CIVIL ACTION
Plaintiff, :
 :
v. :
 :
STATE OF PENNSYLVANIA, et al., :
Defendants. : NO. 00-1933

MEMORANDUM ORDER

J.M. KELLY, J.

APRIL 19, 2001

On March 13, 2001, the Court granted the Motion to Dismiss of Defendants, County of Northampton and Northampton County Domestic Relations (collectively "Northampton"), without prejudice to the right of Plaintiff, Paul C. Miller ("Miller"), to file an amended complaint on or before April 13, 2001. On April 16, 2001, Miller filed a document entitled as a Motion to Dismiss (Doc. No. 9) which appears, in fact, to be a Motion for Reconsideration. Given Miller's pro se status, the Court will treat it as such.

Federal Rule of Civil Procedure 59(e) and Local Civil Rule 7.1(g) of the United States District Court for the Eastern District of Pennsylvania allow parties to file motions for reconsideration or amendment of a judgment. Courts should grant these motions sparingly, reserving them for instances when: (1) there has been an intervening change in controlling law; (2) new evidence has become available; or (3) there is a need to prevent manifest injustice or correct a clear error of law or fact. See,

e.g., General Instrument Corp. v. Nu-Tek Electronics, 3 F. Supp. 2d 602, 606 (E.D. Pa. 1998), aff'd, 197 F.3d 83 (3d Cir. 1999); Environ Prods., Inc. v. Total Containment, Inc., 951 F. Supp. 57, 62 n.1 (E.D. Pa. 1996). Dissatisfaction with the Court's ruling is not a proper basis for reconsideration. Burger King Corp. v. New England Hood and Duct Cleaning Co., No. 98-3610, 2000 WL 133756 at *2 (E.D. Pa. Feb. 4, 2000).

The only basis argued by Miller for reconsideration of the Court's decision to dismiss this case is that Northampton allegedly incorrectly represented to the Court that Miller was married to Defendant Joan D. Bonstein in its Motion to Dismiss. The Court dismissed Miller's claims against Northampton solely based upon the complete lack of factual allegations contained in his Complaint. See Hishon v. King & Spalding, 467 U.S. 69, 73 (1983). Miller's marital status played no part in the Court's decision, therefor, Miller has failed to demonstrate a valid basis for reconsideration of the Court's decision.

Accordingly, the Motion for Reconsideration is DENIED. As Miller has failed to file an Amended Complaint within the time required by the Court, his Complaint against Northampton is DISMISSED with prejudice.

BY THE COURT:

JAMES MCGIRR KELLY, J.

