

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

KEITH RUSSELL JUDD,)	
)	
Plaintiff,)	
)	
v.)	No. 3:11-cv-555
)	
DEPARTMENT OF STATE OF)	Judge Trauger
TENNESSEE, et al.,)	
)	
Defendants.)	

ORDER

Plaintiff Keith Russell Judd is an inmate at the Federal Correctional Institute in Texarkana, Texas. After the court denied the plaintiff's motion to proceed *in forma pauperis* under 28 U.S.C. § 1915(g), and the plaintiff failed to submit the \$350 filing fee, this matter was dismissed without prejudice for failure to prosecute. The Sixth Circuit Court of Appeals dismissed the plaintiff's appeal for want of prosecution on January 20, 2012.

Now before the court is a motion for relief from judgment (ECF No. 25). The plaintiff does not specify under which rule of civil procedure the motion was filed, but the court construes the motion as filed pursuant to Rule 60(b).¹ Under that rule, a motion for relief from judgment may be granted for the following reasons:

- (1) mistake, inadvertence, surprise, or excusable neglect;
- (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59(b);
- (3) fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party;
- (4) the judgment is void;
- (5) the judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application; or,
- (6) any other reason justifying relief from the operation of the judgment.

¹ A motion to alter or amend judgment under Rule 59 must be filed within 28 days of entry of judgment and therefore does not apply.

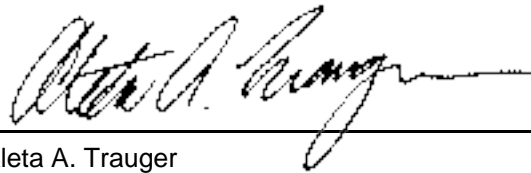
Fed. R. Civ. P. 60(b).

The present motion does not present any basis for reconsideration of the judgment previously entered against the plaintiff, and certainly does not address any of the grounds recognized by Rule 60 as providing a legitimate reason for relief from judgment. The plaintiff's motion is utterly frivolous, and the court declines to consider it.

The motion (ECF No. 25) is hereby **DENIED**.

Further, the plaintiff is given notice that this case is **CLOSED** and he **SHALL NOT** submit any more filings in this action. The Clerk of Court is **DIRECTED** not to accept any additional filings in this action.

It is so **ORDERED**.

A handwritten signature in black ink, appearing to read 'Aleta A. Trauger', written over a horizontal line.

Aleta A. Trauger
United States District Judge