IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

CURTIS J. NEELEY, JR.

PLAINTIFF

v.   Case No. 5:14-CV-05135

5 FEDERAL COMMUNICATIONS
COMMISSIONERS; MICROSOFT CORPORATION; and
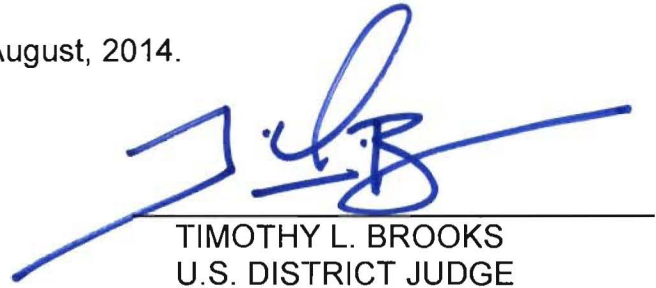GOOGLE, INC.

DEFENDANTS

ORDER

Now before the Court is Plaintiff's Motion for Reconsideration (Doc. 23). Plaintiff asks the Court to reconsider its Order (Doc. 22) dismissing his Complaint and denying his Motion for Summary Judgment. Plaintiff seeks relief pursuant to Rules 58, 59, and 60. Although the Rules do not contemplate "Motions for Reconsideration," the Court will construe the motion as an effort to correct a mistake in an order pursuant to Rule 60(a). Plaintiff's Motion fails, however, to identify any specific oversight or omission in need of correction. Instead, Plaintiff restates his same grievances and arguments.

The Court has conducted a thorough review of the pleadings filed herein, the transcript of the Show Cause Hearing held on May 27, 2014, and its Order of Dismissal dated August 5, 2014 (Doc. 22). On its own accord, the Court observes that the language of its attorney fee sanction was inaccurately premised on Rule 11. The Court's intent was to use its inherent power to sanction the Plaintiff for deliberately misusing the judicial process.   The Court should further clarify that Google is not being compelled to seek an award of attorney fees. Rather, it is the Court's present intent to sanction Mr. Neeley by

ordering him to pay Google's reasonable attorney fees, provided that Google files an appropriate motion requesting such fees— along with supporting documentation— by no later than August 19, 2014. The language of the Court's Order (Doc. 22) setting forth the basis of the attorney fee sanction is hereby modified accordingly.

Otherwise, the Court finds no mistakes, errors, or omissions in its Order of Dismissal, and therefore Plaintiff's "Motion For Reconsideration" (Doc. 23) is **DENIED**.

IT IS SO ORDERED this 18th day August, 2014.

TIMOTHY L. BROOKS
U.S. DISTRICT JUDGE