

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,

v.

CARL DELANO TORJAGBO,
also known as
Karl Lucius Delano,

Defendant.

CRIMINAL ACTION NO.
1:22-cr-00171-MLB-RDC

ORDER

Before the Court is Defendant Carl Delano Torjagbo's motion [Doc. 31] to reconsider the Court's May 12, 2022 order of detention. [Doc. 11]. Although the Federal Rules of Criminal Procedure do not specifically authorize motions for reconsideration, both the Supreme Court and [the United States Court of Appeals for the Eleventh Circuit] have permitted parties to file such motions in criminal cases. *Serrano v. United States*, 411 F. App'x 253, 255 (11th Cir. Jan. 26, 2011) (citing *United States v. Phillips*, 597 F.3d 1190, 1199-1200 (11th Cir. 2010)). In deciding motions for reconsideration in criminal cases, courts use the standards applicable to such motions filed in civil cases under Federal Rule of Civil Procedure 59. *United States v. Brown*, No. 3:18-CR-89-J-34JRK, 2019 WL 7067091, at *1 (M.D. Fla. Dec. 23, 2019). Generally, a motion for reconsideration should not be used to reiterate arguments that

have been made previously, but such a motion should be reserved for extraordinary circumstances, such as the discovery of new evidence, an intervening development or change in the law, or the need to correct a clear error or prevent a manifest injustice. *Adler v. Wallace Computer Servs., Inc.*, 202 F.R.D. 666, 675 (N.D. Ga. 2001). Courts should deny a motion for reconsideration that [does] nothing but ask the . . . court to reexamine an unfavorable ruling. *Jacobs v. Tempur-Pedic Int'l, Inc.*, 626 F.3d 1327, 1344 (11th Cir. 2010). Defendant Torjagbo's motion does not satisfy the standard for permissible reconsideration motions, in that it alleges no facts which, if proven, would demonstrate that extraordinary circumstances exist to cause the Court to reconsider its order detaining Defendant. Accordingly, Defendant Torjagbo's motion for reconsideration [Doc. 31] is DENIED.

SO ORDERED, this 21 day of October, 2022.


LINDA T. WALKER
UNITED STATES MAGISTRATE JUDGE