

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MICHAEL CHARLES PILOT,

Plaintiff,

v.

DONALD TRUMP,

Defendant.

Case No. 1:19-cv-00251 (TNM)

MEMORANDUM OPINION

On January 30, 2019, *pro se* Plaintiff Michael Pilot filed his Complaint in this case. *See generally* Compl., ECF No. 1. In his Complaint, he sued President Donald J. Trump for a violation of the First and Fifth Amendments because the Deputy Clerk of the D.C. Circuit— not the D.C. Circuit judges themselves—signed the order dismissing an earlier appeal. *Id.* at 37. And for that same reason, he brought a claim, again against the President, under the Hostage Act and Administrative Procedure Act. *Id.* at 39–42. The Court held that Mr. Pilot’s Complaint failed to state a claim on which relief may be granted. Mem. Op. at 2; ECF No. 4. The Court also noted Mr. Pilot’s repeated pattern of attempting to re-litigate old claims by filing new actions. *Id.*

Mr. Pilot has now filed a motion for reconsideration challenging the Court’s dismissal of his lawsuit against President Donald J. Trump. ECF No. 6. “As a general matter, courts treat a motion for reconsideration as originating under Rule 59(e) if it is filed within 28 days of the entry of the order at issue and as originating under Rule 60(b) if filed thereafter.” *Owen-Williams v. BB & T Inv. Servs., Inc.*, 797 F. Supp. 2d 118, 121–22 (D.D.C. 2011). Courts may grant a Rule 59(e) motion only “(1) if there is an ‘intervening change of controlling law;’ (2) if

new evidence becomes available; or (3) if the judgment should be amended in order to ‘correct a clear error or prevent manifest injustice.’” *Leidos, Inc. v. Hellenic Republic*, 881 F.3d 213, 217 (D.C. Cir. 2018) (quoting *Firestone v. Firestone*, 76 F.3d 1205, 1208 (D.C. Cir. 1996)). No such reason warrants reconsideration here: Mr. Pilot identifies no change in law and provides no new evidence. Nor is a manifest injustice apparent from the record.

For these reasons, Mr. Pilot’s Motion for Reconsideration will be denied. A separate order will issue.

Dated: March 1, 2019

TREVOR N. McFADDEN
United States District Judge