

ENTERED

December 13, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**WILMINGTON SAVINGS FUND
SOCIETY, FSB,**

Plaintiff,

VS.

LEEROY M. MYERS, et al.,

Defendants.

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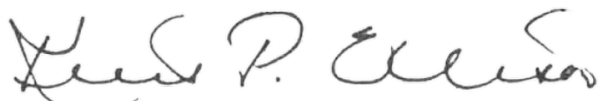
CIVIL ACTION NO. 4:22-CV-00088

ORDER ON DEFENDANTS’ MOTION TO ALTER OR AMEND JUDGMENT

Pending before the Court is Defendants’ Motion to Alter or Amend Judgment (ECF No. 45). It is well-settled that “a motion to alter or amend the judgment under Rule 59(e) ‘must clearly establish either a manifest error of law or fact or must present newly discovered evidence’ and ‘cannot be used to raise arguments which could, and should, have been made before the judgment issued.’” *Rosenzweig v. Azurix Corp.*, 332 F.3d 854, 864 (5th Cir. 2003) (quoting *Simon v. United States*, 891 F.2d 1154, 1159 (5th Cir. 1990)). Upon reviewing the record and the parties’ briefing in this case, the Court has found no manifest errors of law or new evidence that could justify granting Defendants’ motion. Accordingly, the motion is **DENIED**.

IT IS SO ORDERED.

SIGNED at Houston, Texas on this the 13th day of December, 2023.



**KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE**