

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

JEROME RIDDICK, :
Plaintiff, :
 :
v. : Case No. 3:11cv1555 (SRU)
 :
CHEVALIER, et al., :
Defendants. :

RULING ON DEFENDANTS' MOTION FOR RECONSIDERATION [Doc. #87]

On May 3, 2013, the court granted, absent objection, the plaintiff's motion to compel production of videotapes for his viewing. The defendants now seek reconsideration of that ruling. For the reasons that follow, the motion is granted.

Reconsideration will be granted only if the moving party can identify controlling decisions or data that the court overlooked and that would reasonably be expected to alter the court's decision. *See Schrader v. CSX Transp., Inc.*, 70 F.3d 255, 257 (2d Cir. 1995). The court reviewed the docket and understood that the defendants had not responded to the motion to compel. The defendants now point out that, as a result of a filing delay, their objection to the motion to compel was received by the court before the motion to compel was docketed. As the defendants did respond to the motion to compel, the motion for reconsideration is granted and the prior ruling is hereby vacated.

In his motion to compel, the plaintiff states that, although the defendants agreed to permit him to view the videotape of the October 29, 2012 incident taken by hand-held cameras, he has been permitted to view only some of the footage. The plaintiff asks the court to order the

defendants to make all of the footage from the hand-held cameras available for his viewing. In opposition to the motion, the defendants have filed documentation indicating that there are four disks containing the recordings from October 29, 2012. They also have provided a copy of an acknowledgment receipt signed by the plaintiff indicating he was permitted to view all four of the disks. In opposition to the motion for reconsideration, the plaintiff states that he was not shown all of the video footage. As he has presented no evidence indicating that there are other disks containing footage from October 29, 2012, the motion to compel is denied.

The defendants' motion for reconsideration [**Doc. #87**] is **GRANTED**. The prior ruling [**Doc. #85**] is **VACATED** and the plaintiff's motion to compel [**Doc. #77**] is **DENIED**.

SO ORDERED this 5th day of August 2013, at Bridgeport, Connecticut.

/s/ William I. Garfinkel
William I. Garfinkel
United States District Judge