

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MABEL AMPONSAH,

Plaintiff,

Case No. 17-cv-13531
Hon. Matthew F. Leitman

v.

RANDALL,

Defendant.

_____ /

**ORDER DENYING RECONSIDERATION, LEAVE TO AMEND,
AND REQUEST TO RE-OPEN CASE**

On October 30, 2017, Plaintiff Mabel Amponsah filed this civil action in which she asserted claims against a police officer named Randall. (*See* Complaint, ECF #1.) On November 13, 2017, the Court entered an order in which it summarily dismissed the Complaint without prejudice. (*See* ECF #5.) The Court held that Amponsah's claims lacked an arguable basis in law and fact because, for instance, (1) Amponsah claimed that Officer Randall violated the Civil Rights Act of 1964 and the Equal Protection Clause of the Fourteenth Amendment but did not allege that the officer acted against her based upon any classification relevant to those provisions, and (2) Amponsah asserted a claim for breach of contract but did not allege any facts that even arguably supported that claim. (*See id.* at Pg. ID 21.) The Court also highlighted that Amponsah sought as relief an order requiring that bathroom privileges and toilet paper be made available to her and other members of the public. (*See id.*)

On November 22, 2017, Amponsah filed a “Brief of Response to the Dismissal of Plainteed [sic] Complaint and Plaintiff [sic] Request for Amended Complaint” with an attached proposed Amended Complaint. (*See* ECF #6.) The Court construes this filing as either a motion for reconsideration or a motion to re-open the case and for leave to file an amended complaint.

To the extent the motion is one for reconsideration, it is **DENIED**. The Court declines to reconsider its ruling because Amponsah has failed to demonstrate a palpable defect by which the Court and the parties have been misled and/or that correcting any such defect, if one existed, would result in a different disposition of the case. *See* Local Rule 7.1(h).

To the extent that the motion is one to re-open the case and to file an amended complaint, it is **DENIED**. The proposed Amended Complaint is substantially identical to, and does not cure the deficiencies in, Amponsah’s original Complaint. Amponsah still asserts non-viable claims based upon Officer Randall’s alleged failure to notify other officers that she had made a police report, and she still seeks as relief for his alleged misconduct a court order ensuring bathroom privileges and toilet paper availability in all commercial buildings. (*See* ECF #6 at Pg. ID 24-25.) Her request for relief underscores that this is not a viable civil action.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: November 29, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on November 29, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(810) 341-9764