

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA

Alfred W. Comer, Jr. v. Frazier

Comer v. Frazier · No. 3:23-CV-136-PPS · Decided December 8, 2025

SUMMARY

The United States District Court for the Northern District of Indiana denied Alfred W. Comer, Jr.'s motion for reconsideration of summary judgment entered in favor of Food Service Manager Shamika Frazier. The court held that Comer merely reasserted arguments and evidence previously considered and did not challenge the alternative basis that Frazier had shown he would have been fired regardless of any retaliatory motive.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana
WRITING FOR THE COURT	Philip P. Simon
JURISDICTION	United States District Court for the Northern District of Indiana
DECIDED	December 8, 2025
DOCKET	3:23-CV-136-PPS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff Alfred W. Comer, Jr., a prisoner proceeding without counsel, moved for reconsideration of the court's order granting summary judgment to Food Service Manager Shamika Frazier in an individual-capacity First Amendment retaliation action.
STANDARD OF REVIEW	A motion for reconsideration is not an appropriate vehicle for rehashing previously rejected arguments or presenting matters that could have been raised during the prior motion. Summary judgment remains proper where an independent, unchallenged basis supports the judgment.
PRECEDENTIAL VALUE	nonprecedential district court opinion

TOPICS

- motion for reconsideration
- summary judgment
- first amendment
- section 1983
- prisoners rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Comer established a valid basis for reconsideration by relying on evidence and arguments that the court had already considered when granting summary judgment.
2. Whether reconsideration was warranted when the prior summary judgment order rested alternatively on the unchallenged conclusion that Comer would have been fired regardless of any retaliatory motive.

HOLDINGS

1. Reconsideration was not warranted because Comer merely rehashed evidence and arguments that the court had already considered and addressed in its summary judgment order.
2. Reconsideration was unwarranted because, even assuming sufficient evidence of causation, summary judgment remained proper on the unchallenged alternative ground that Comer would have been fired regardless of any improper motive.

KEY QUOTATIONS

“Reconsideration is not an appropriate forum for rehashing previously rejected arguments or arguing matters that could have been heard during the pendency of the previous motion” (DE 214 at 1-4)

“Food Service Manager Frazier had provided non-pretextual evidence showing Comer would have been fired from the WCF kitchen regardless of any bad motive.” (DE 210)

FACTUAL BACKGROUND

Comer, a prisoner, worked in the production kitchen at WCF until Food Service Manager Shamika Frazier fired him on March 25, 2023. He alleged that the firing was retaliation for a January 2 grievance concerning Frazier, in violation of the First Amendment. In support of reconsideration, Comer relied on the timing of the firing and an Evaluation and Job Performance Report completed by Frazier.

PROCEDURAL HISTORY

Comer alleged that Frazier fired him from his prison kitchen job in retaliation for a grievance he filed against her. The court previously granted Frazier summary judgment, finding insufficient evidence of causation and, alternatively, non-pretextual evidence that Comer would have been fired regardless of retaliatory motive. Comer moved for reconsideration, arguing that the timing of his firing and an evaluation report established causation. The court denied reconsideration because the evidence and arguments had already been considered and because Comer did not challenge the independent alternative basis for summary judgment.

DISPOSITION

other

CASES CITED

- *Caisse Nationale de Credit Agricole v. CBI Industries, Inc.*, 90 F.3d 1264, 1270 (7th Cir. 1996)
- *King v. Ford Motor Co.*, 872 F.3d 833, 838-39 (7th Cir. 2017)

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