

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Beverly Williams v. Milwaukee Board of School Directors

Williams · No. 19-cv-80-pp · Decided December 23, 2025

SUMMARY

The United States District Court for the Eastern District of Wisconsin denied Beverly Williams’s motion to amend or reconsider a post-judgment order and her motion for sanctions and default judgment. The court held that the motion was untimely and presented no manifest error or newly discovered evidence, and that default judgment and sanctions were unwarranted because any service deficiency caused no prejudice. The court also stated that it would summarily deny further motions seeking to revive the plaintiff’s untimely appeal.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Pamela Pepper
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	December 23, 2025
DOCKET	19-cv-80-pp
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to alter or amend a post-judgment order under Federal Rule of Civil Procedure 59 and moved for sanctions and default judgment based on alleged deficient service. The district court denied both motions.
STANDARD OF REVIEW	A Rule 59(e) motion must be filed no later than 28 days after entry of judgment and is available to reconsider a final judgment. Reconsideration is limited to correcting manifest errors of law or fact or considering newly discovered evidence that was previously unavailable. The court applied a prejudice or harmless-error analysis to the alleged service deficiency and determined that default judgment was unavailable after judgment had already been entered for the defendant.
PRECEDENTIAL VALUE	unknown

TOPICS

motion for reconsideration

sanctions

default judgment

appellate procedure

civil procedure

PRACTICE AREAS

civil procedure

appellate procedure

employment discrimination

discovery sanctions

post-judgment motions

QUESTIONS PRESENTED

1. Whether the plaintiff could use Federal Rule of Civil Procedure 59(e) to alter or amend the district court's August 28, 2025 order denying leave to amend her motion for an extension of time to appeal.
2. Whether the plaintiff demonstrated manifest error, newly discovered evidence, or manifest injustice warranting reconsideration of prior rulings concerning the extension of time to appeal, electronic filing, or the appellate filing fee.
3. Whether alleged failure to serve filings warranted sanctions, striking docket filings, or treating motions as unopposed.
4. Whether default judgment was available after the court had already entered judgment in favor of the defendant.

HOLDINGS

1. Rule 59(e) did not authorize the requested relief because the August 28 order was not a final judgment, and the plaintiff's request was in substance an untimely attempt to reconsider the earlier denial of an extension of time to appeal.
2. Reconsideration was not warranted because the plaintiff presented no newly discovered evidence and did not show a manifest error of law or fact.
3. The alleged service deficiency did not warrant sanctions, striking filings, or treating motions as unopposed because the plaintiff was not shown to have suffered prejudice.
4. Default judgment was not appropriate because the defendant had not failed to answer or otherwise defend the case, and final judgment had already been entered in the defendant's favor before the alleged service deficiency.

KEY QUOTATIONS

"Motions for reconsideration serve a limited function. They allow the court to correct manifest errors of law or fact or the plaintiff to present newly discovered evidence that was not available before the court ruled."
(Section II)

"And default judgment is not appropriate when the court already has entered judgment in favor of the defendant months before the allegedly deficient service." (Section III)

FACTUAL BACKGROUND

The plaintiff's case had already been dismissed on summary judgment in favor of the defendant. After the Seventh Circuit dismissed her untimely appeal, she sought to revisit prior rulings concerning an extension of time to appeal, electronic filing, and payment of the appellate filing fee. She also alleged that the defendant failed to serve certain filings, although she had seen the filings on the docket and had responded to at least one filing. The defendant's allegedly unserved motion was denied as moot, and final judgment had been entered months before the alleged service failure.

PROCEDURAL HISTORY

The court granted summary judgment for the defendant and dismissed the case on March 31, 2025. The plaintiff filed an untimely notice of appeal and sought an extension of time; the district court denied the extension, and the Seventh Circuit dismissed the appeal for lack of jurisdiction and denied rehearing. The plaintiff then sought reconsideration of the district court's later order denying leave to amend her extension motion, and separately sought sanctions and default judgment. The court denied both motions.

DISPOSITION

other

CASES CITED

- Peterson v. Lindner, 765 F.2d 698, 704 (7th Cir. 1985)
- Borrero v. City of Chicago, 456 F.3d 698, 700-02 (7th Cir. 2006)
- Caisse Nationale de Credit v. CBI Industries, Inc., 90 F.3d 1264, 1269-70 (7th Cir. 1996)
- Oto v. Metropolitan Life Insurance Co., 224 F.3d 601, 606 (7th Cir. 2000)
- Sedrak v. Callahan, 987 F. Supp. 1063, 1069 (N.D. Ill. 1997)
- Mohns v. BMO Harris Bank National Association, 395 Wis. 2d 421, 437-39 (Wis. 2021)