

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
KENTUCKY, CENTRAL DIVISION

Meghan A. Muncy v. David Matthew Muncy, et al.

Muncy · No. 5:24-272-DCR · Decided April 20, 2026

SUMMARY

The United States District Court for the Eastern District of Kentucky denied Plaintiff Meghan Muncy’s motion under Federal Rule of Civil Procedure 59(e) to alter or amend the judgment dismissing her claims. The court held that Muncy identified no qualifying basis for relief and merely reasserted arguments concerning her incarceration, address change, and failure to communicate with the court.

CASE DETAILS

COURT	United States District Court for the Eastern District of Kentucky, Central Division
WRITING FOR THE COURT	Danny C. Reeves
JURISDICTION	United States District Court for the Eastern District of Kentucky, Central Division
DECIDED	April 20, 2026
DOCKET	5:24-272-DCR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59(e) to alter or amend the judgment dismissing her claims. The district court denied the motion.
STANDARD OF REVIEW	A Rule 59(e) motion may be granted for a clear error of law, newly discovered evidence, an intervening change in controlling law, or a need to prevent manifest injustice; it may not be used to reargue matters already presented and rejected.
PRECEDENTIAL VALUE	Nonprecedential district court memorandum order
PARTIES	Meghan A. Muncy v. David Matthew Muncy, Marcus Johnson, Derek Kirunchyk, Kenny Brandenburg, John Doe defendants

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QUESTIONS PRESENTED

1. Whether Muncy established a basis under Rule 59(e) to alter or amend the judgment dismissing her claims.
2. Whether Muncy's incarceration and the expiration of her post office box constituted a clear error, newly discovered evidence, an intervening change in controlling law, or manifest injustice warranting relief under Rule 59(e).

HOLDINGS

1. Muncy did not establish any recognized basis for altering or amending the judgment under Rule 59(e), and her motion was properly denied.
2. Incarceration does not by itself excuse a party's failure to prosecute a lawsuit diligently, update the court regarding contact information, or otherwise comply with court obligations.

KEY QUOTATIONS

“The Court may alter or amend a judgment under Rule 59(e) of the Federal Rules of Civil Procedure if there is “(1) a clear error of law; (2) newly discovered evidence; (3) an intervening change in controlling law; or (4) a need to prevent manifest injustice.”” (at 2)

“But the fact that a plaintiff is incarcerated does not absolve the party of the responsibility to prosecute a lawsuit in a diligent manner.” (at 3)

FACTUAL BACKGROUND

Muncy's remaining claims were dismissed after she repeatedly failed to comply with Local Rule 5.3, a discovery order, court orders, and motions practice requirements. During her incarceration, her post office box expired, and court orders mailed to her were returned as undeliverable. She argued that her incarceration and loss of access to her mail prevented her from updating her address or communicating with the court, but she offered no new explanation for her complete lack of communication.

PROCEDURAL HISTORY

The court dismissed Muncy's remaining claims on February 24, 2026, based on repeated failures to comply with procedural rules and court orders, failure to participate in discovery, failure to respond to motions, and failure to maintain current contact information. The court previously denied her Rule 60(b) motion for relief from judgment. Muncy then filed the present Rule 59(e) motion, which the court denied.

DISPOSITION

other

CASES CITED

- Howard v. Magoffin Cnty. Bd. of Educ., 830 F. Supp. 2d 308, 319 (E.D. Ky. 2011)
- Leisure Caviar, LLC v. U.S. Fish & Wildlife Serv., 616 F.3d 612, 615 (6th Cir. 2010)
- Whitehead v. Bowen, 301 F. App'x 484, 489 (6th Cir. 2008)
- Sault Ste. Marie Tribe of Chippewa Indians v. Engler, 146 F.3d 367, 374 (6th Cir. 1998)
- White v. Hitachi, Ltd., 2008 U.S. Dist. LEXIS 25240, 2008 WL 782565, at *1 (E.D. Tenn. Mar. 20, 2008)

OPINION

Muncy

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF KENTUCKY

CENTRAL DIVISION

(at Lexington)

MEGHAN A. MUNCY,)

) Plaintiff,) Civil Action No. 5: 24-272-DCR) V.))

DAVID MATTHEW MUNCY, et al.,) MEMORANDUM ORDER

) Defendants.) *** ** All remaining claims asserted by Plaintiff Meghan Muncy against Defendants Marcus Johnson, Derek Kirunchyk, and Kenny Brandenburg, as well as any claims asserted against any John Doe defendant, were dismissed on February 24, 2026, due to Muncy's repeated failure to comply with procedural rules and court orders, as well as her lack of participation in the litigation process. [Record Nos. 68 and 69] Muncy failed to comply with Local Rule 5.3, did not comply with the United States Magistrate Judge's Order compelling discovery, and did not respond to the defendant's motions. Although the Court directed her to show cause for these deficiencies by January 23, 2026, she failed to respond. [See Record No. 66.] The record further reflects that her last communication with defense counsel occurred in September 2025, demonstrating a prolonged period of inactivity. Additionally, the orders filed and mailed on November 4, 2025, and January 15, 2026, were returned undeliverable, reflecting the plaintiff's failure to keep the Clerk of Court informed of her current contact information, as required. [See Record No. 65 and 67.] More than one month after the Court dismissed her case, Muncy filed a Notice of Change of Address and a motion pursuant to Rule 60(b) of the Federal Rules of Civil Procedure, seeking relief from the Judgment dismissing her claims. [Record Nos. 70 and 71] The Court denied Muncy's 60(b) motion because she has failed to establish that circumstances warrant relief from judgment. [Record No. 72] Specifically, although incarceration may be relevant to an excusable neglect analysis, it does not by itself establish excusable neglect without evidence that it

prevented her from making reasonable efforts to update the Court or monitor the case. [Id.] Muncy now moves to alter or amend the judgment under Rule 59(e). [Record No. 73] She contends that relief is necessary to correct a manifest error of fact and to prevent manifest injustice. [Id. at 1] Muncy argues that her argument does not rest on incarceration alone. [Id. at 2] Instead, she asserts that her mailing address became invalid during her incarceration when her post office box expired. [Id.] According to Muncy, she maintained a valid post office box when she was taken into custody on October 2, 2025 and, therefore, had no obligation at that time to notify the Court of an address change at that time. [Id.] She further explains that her post office box expired on October 30, 2025, and that, because she remained in custody, she could not access the post office or her mail. [Id. at 2–3] Muncy further contends that she could not comply with Local Rule 5.3 during her incarceration because she lacked access to her mail, her post office box, court correspondence, and any means to communicate with the Court. [Id. at 3] The Court may alter or amend a judgment under Rule 59(e) of the Federal Rules of Civil Procedure if there is “(1) a clear error of law; (2) newly discovered evidence; (3) an intervening change in controlling law; or (4) a need to prevent manifest injustice.” *Howard v. Magoffin Cnty. Bd. of Educ.*, 830 F. Supp. 2d 308, 319 (E.D. Ky. 2011) (quoting *Leisure Caviar, LLC v. U.S. Fish & Wildlife Serv.*, 616 F.3d 612, 615 (6th Cir. 2010)). The Sixth Circuit, however, has consistently held that a Rule 59 motion should not be used to either reargue a case on the merits or issues already presented, see *Whitehead v. Bowen*, 301 F. App’x 484, 489 (6th Cir. 2008) (citing *Sault Ste. Marie Tribe of Chippewa Indians v. Engler*, 146 F.3d 367, 374 (6th Cir. 1998)), or otherwise “merely restyle or rehash the initial issues,” *White v. Hitachi, Ltd.*, 2008 U.S. Dist. LEXIS 25240, 2008 WL 782565, at *1 (E.D. Tenn. Mar. 20, 2008) (internal quotation marks and citation omitted). Simply put, “[i]t is not the function of a motion to reconsider arguments already considered and rejected by the court.” *Jd. Muncy* offers no new argument explaining why she was unable to send mail or otherwise communicate with the Court while incarcerated. She continues to rely on her incarceration to excuse her complete lack of communication with the Court and her failure to provide an accessible mailing address, including the facility where she was incarcerated. But the fact that a plaintiff is incarcerated does not absolve the party of the responsibility to prosecute a lawsuit in a diligent manner. She identifies no basis under Rule 59(e) to disturb the prior decision. Instead, the present motion attempts to reassert argument the Court has already considered and rejected, which Rule 59(e) does not permit. Accordingly, it is hereby ORDERED that Plaintiff Muncy’s Motion to Alter or Amend Judgment Under Rule 59(e) [Record No.73] is DENIED. Dated: April 20, 2026. . _—_ aca i Danny C. Reeves, District Judge 4 SA = oy United States District Court Sal pe Eastern District of Kentucky -3-